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a planner's reference to legislation in Ontario

**MINISTRY OF TREASURY, ECONOMICS
AND INTERGOVERNMENTAL AFFAIRS**

Minister **Hon. W. D. McKeough**

Deputy Minister **A. R. Dick, Q.C.**

LOCAL PLANNING POLICY BRANCH

Director **G. Keith Bain**

PROGRAMS SECTION

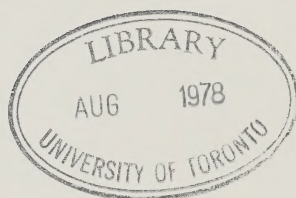
Manager **Mark Heitshu**

Senior Planner **Pierre Beeckmans**

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**a planner's
reference to
legislation
in Ontario**



FORWORD

Most planners and laymen involved in planning become familiar with legislation and regulations by a haphazard process of discovery as they deal with different topics. There has to date been no convenient source of reference encompassing the very wide range of topics with which a planner may have to be familiar. This document is intended to fill that gap.

It is hoped that people inside and outside government will find this a useful time-saver. As a source of information for planners it may be considered complementary to the KWIC Index to the Government of Ontario, published by the Ministry of Culture and Recreation, which helps in finding the government agency dealing with any particular topic.

Legislation and regulations are constantly being amended; this reference will be updated from time to time. User comments on errors or omissions will be gratefully received and should be addressed to:

G.K. Bain, Director,
Local Planning Policy Branch,
Urban & Regional Planning Division,
Ministry of Treasury, Economics & Intergovernmental
Affairs,
Queen's Park, Toronto.
M7A 1Y7.

5-5890

CAUTION

This reference manual is intended to assist you in finding legislation pertinent to various planning topics. It should not be used as a substitute for the legislation itself; neither should the comments be quoted as being necessarily expressions of government policy or interpretations with official status.

A PLANNER'S REFERENCE TO LEGISLATION IN ONTARIO

PURPOSE

It is assumed that anyone active in planning in Ontario would have copies of The Planning Act and the Ontario Planning and Development Act to hand and would be reasonably familiar with them. However, many planning and development matters are affected by other statutes than the above two Acts and this document is intended to assist a planner in finding relevant information or in refreshing his memory as to its general content. It is not intended to give a comprehensive, detailed record of each of the pertinent items of legislation; reference should be made to the statutes for that purpose. Any planner dealing in depth with a topic would obviously be expected to use the source documents for information. This reference work is intended primarily for the generalist who may be called upon to respond to a variety of municipal planning or related problems and yet lacks either wide and varied experience or a photographic memory, or both.

CONTENT

In compiling this document, some judgment had to be exercised regarding how wide a net could be cast under the aegis of "planning". Having fished up some rather fascinating items, we reluctantly rejected references to The Pregnant Mare Urine Farms Act, as being beyond the planner's normal area of interest. A "puffer" as defined in The Conveyancing and Law of Property Act was also a tempting but rejected tid-bit. (It means a person appointed to bid on the part of the seller.) We hesitated about including the "devil strip" but were persuaded to retain it by the current revival of interest in street railways.

It is unlikely that any two people would have arrived at exactly the same choice of material to include but it is hoped that planners will agree that most of the compiled references should form part of the "complete Ontario planner's" store of general knowledge and that this work is of some practical value. Most of the references are to Ontario statutes, but some federal legislation is also included. A few references have been included to items which are not in the statutes but have some official status, such as regulations or guidelines of which a planner should be aware.

HOW TO USE THE PLANNER'S REFERENCE

The material is gathered in alphabetical order by topic but some items may appear as sub-topics (in lower case) of a main entry (in capitals).

E.G. "Low rental housing" is a sub-heading under "HOUSING". A cross-reference appears under "L", both in the index and the main body of the text:

Low rental housing	see HOUSING -
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The dash after HOUSING indicates that the title in the left hand column appears as a sub-heading of HOUSING.

If the cross-reference in the index starts with the words "see also" the user should first seek the item listed in the left hand column and, in addition, should refer to the "see also" item.

This reference work was designed to serve people already familiar with The Planning Act and The Ontario Planning and Development Act. It was nevertheless found convenient to include index reference to those Acts, which appear abbreviated as P.A. and O.P.D.A.

The abbreviated name of the ministry responsible for administering the legislation referred to is sometimes shown in brackets after the name of the Act. It is omitted, however, where that information is considered obvious or repetitious. (The Municipal Act and most municipal legislation is administered by the Ministry of Treasury, Economics and Intergovernmental Affairs).

Subject

Reference

A BLANK SPACE IN THIS COLUMN INDICATES THAT THE SUBJECT APPEARS
AS AN ITEM IN THE MAIN BODY OF THIS DOCUMENT

A

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ABANDONED ORCHARD	
Access road to provincial park	see PROVINCIAL PARK - access road
Action to restrain contravention of by-law	see ENFORCEMENT OF BY-LAWS
Aesthetics	see SIGNS; IMPROVEMENT AREAS.....; P.A. 35a; LAKES AND RIVERS -
AGREEMENTS	refer also to Municipal Act and Planning Act Index
Agricultural Land	see PUBLIC LANDS - public agricultural land committee; RURAL DEVELOPMENT
AGRICULTURAL POLLUTION	
AGRICULTURAL WASTE	
AIR POLLUTION	
Air space over highways	see HIGHWAY - use of space over
AIRCRAFT NOISE	
AIRPORT ZONING	
ANIMALS	
Archaeological preservation	see CONSERVATION (CULTURAL)
Architectural preservation	see CONSERVATION (CULTURAL)
AREA RATE	see also DRAINAGE -; IMPOSTS; LOCAL IMPROVEMENTS; PUBLIC TRANSPORTATION -; PUBLIC UTILITIES -; RECREATION -; SEWERAGE -; WASTE MANAGEMENT -; WATERWORKS -; HYDRO-ELECTRIC POWER -; IMPROVEMENT AREA FOR THE BEAUTIFICATION OF SHOPPING AREAS; PARKING LOTS
ASSESSMENT	see also UNORGANIZED TERRITORY
Assessment information for planning	P.A. 7
ASSUMPTION PLAN	
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Subject

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Canals
CANOPIES
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Car wreckers
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CEMETERY
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Columbarium
COMMERCIAL MOTOR VEHICLE
Committee of Adjustment
C.M.H.C.
COMMUNITY CENTRE
COMMUTER SERVICES
Compiled plan
COMPLETE SURVEY
COMPOSITE PLAN
COMPOSITE TOWNSHIP
CONDOMINIUM
Connecting link
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CONSERVATION (CULTURAL)
Conservation (Housing)
CONSERVATION (NATURAL ENVIRONMENT)
Conservation Review Board
Controlled access highway
Controlled access road
CONTROL ORDER
CONVEYANCE
Co-operative housing
Cottage
COUNTY
County road
Covenant
Crematorium
Crown land
Culverts

see TRANSMISSION POLES, WIRES
see PUBLIC HEALTH -
see WATER CANALS IN SUBDIVISIONS

see JUNK YARDS
see DEED RESTRICTIONS

P.A. 38(26)
P.A. 35(4)
see CEMETERY

P.A. 31, 41, 42
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see HIGHWAY -
P.A. 29

see HOUSING - neighbourhood improvement

see CONSERVATION (CULTURAL) -
see HIGHWAY -
see HIGHWAY -

see HOUSING
see PUBLIC LANDS - summer resort location

see HIGHWAY -
see DEED RESTRICTIONS
see CEMETERY
see PUBLIC LANDS
see HIGHWAY -

D

Dams
DANGEROUS MANUFACTURES
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see LAKES AND RIVERS; CONSERVATION; DRAINAGE; PUBLIC LANDS -

Subject

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Development plan area	O.P.D.A. 2,
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Distilleries	see INDUSTRIAL NUISANCES
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Exemptions from taxation - areas or property	see ASSESSMENT
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Garbage incinerator

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Gasoline station

Gasoline storage

Gas works

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Gravel pit

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see SERVICE STATION

see EXPLOSIVES

see INDUSTRIAL NUISANCES

see MOTOR VEHICLE RACING

see ASSESSMENT -

see PITS AND QUARRIES

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Historic conservation

HISTORICAL PARK

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Home ownership loans

Home renovation

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HYDRO-ELECTRIC POWER

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PUBLIC LANDS
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SET-BACKS
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see OUTDOOR FESTIVAL
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see JUNK YARDS
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see LANDFILL; WASTE MANAGEMENT
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see LOCAL IMPROVEMENT ACT
see HYDRO-ELECTRIC POWER; LOCAL IMPROVEMENTS

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P.A. 33(5) (d) and 33(6)
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Subject

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SUBDIVISION ROAD SUBSIDY	
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Suburban road	see HIGHWAY -
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TOURIST AND TRAILER CAMPS AND MOTELS	
Township road	see HIGHWAY -
TRAFFIC	
TRAILERS, TRAILER CAMPS	
TRANSMISSION POLES, WIRES	see also HYDRO-ELECTRIC POWER
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WATER SUPPLY	see also WELLS, PUBLIC UTILITIES
Waterways	see NAVIGABLE WATERWAYS; LAKES AND RIVERS
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WEED CONTROL	
WELLS	

Subject

WILDERNESS AREA
Wiring
Wrecking yards

Reference

P.A. 38(1)17; see also HYDRO-ELECTRIC POWER - underground wiring
see JUNK YARDS

Z

Zoning by-law
Zoning in provincial parks
Zoning on county road
Zoning orders
Zoning plans on public lands

restricted area by-law: P.A. 35
see PROVINCIAL PARKS - zoning
see HIGHWAY - zoning
P.A. 32; see also PARKWAY BELT -
see PUBLIC LANDS - zones

Subject	Reference	Description and Notes
ABANDONED MOTOR VEHICLES	Environmental Protection Act, 49-55h	<p>An abandoned vehicle may be removed by a police officer or a designated provincial officer to an abandoned motor vehicle site. The owner must be notified that he has thirty days to claim the vehicle. If he does not receive notice, the owner may claim compensation. (See also regulation 382/73)</p> <p>49(a) "Abandoned motor vehicle" means a vehicle that has been left unattended without lawful authority and that appears to an officer, by reason of its age, appearance mechanical condition or lack of licence plates, to be abandoned.</p>
	Regulation 824 (E.P.A.)	<p>1.7a "Derelict motor vehicle" means a motor vehicle that,</p> <ul style="list-style-type: none">i. is inoperable, andii. has no market value as a means of transportation, or, has a market value as means of transportation that is less than the cost of repairs required to put it into operable condition. <p>Derelict motor vehicles are designated wastes pursuant to this Act. Standards are prescribed for the location, maintenance and operation of a derelict motor vehicle site.</p>
ABANDONED ORCHARD	Abandoned Orchards Act 1 and 7 (Agriculture and Food)	<p>If an orchard has been designated by the Provincial Entomologist as a neglected orchard, or if no fruit has been produced on it for sale for two consecutive growing seasons, an orchard may be termed to be an "abandoned orchard" and the owner is then obliged to destroy all fruit trees in it.</p> <p>This Act only applies to orchards located within 300 yards of a commercial orchard.</p>
Access road to provincial park	see PROVINCIAL PARK - access road	
Action to restrain contravention of by-law	see ENFORCEMENT OF BY-LAWS	
Aesthetics	see SIGNS; IMPROVEMENT AREAS.....; P.A. 35a; LAKES AND RIVERS -	
AGREEMENTS	Municipal Act 343	<p>A municipal corporation has a right to enforce a contract or agreement.</p>
	see also IMPOSTS; P.A. 33(6) (Developer's Agreements)	<p>refer also to Municipal Act and Planning Act Index</p>
Agricultural land	see PUBLIC LANDS - public agricultural land committee; RURAL DEVELOPMENT	
AGRICULTURAL POLLUTION		<p>Refer to the Agricultural Code of practice prepared by the Ministries of the Environment and of Agriculture and Food. It applies to livestock and poultry farms. It includes minimum land areas for manure utilization, separation distances from dwellings, etc.</p>
AGRICULTURAL WASTE	Environmental Protection Act Regulation 824 as amended	<p>1.3 "Agricultural waste" means waste, other than sewage, resulting from farm operations, including animal husbandry and where a farm operation is carried on in respect of food packing, food preserving, animal slaughtering or meat packing, includes the waste from such operations.</p>
AIR POLLUTION	Environmental Protection Act, 94 and 22 - 24	<p>The Lt. Gov. in Council may make regulations relating to all manner of pollution. Regulation 15 is the general regulation pertaining to air pollution, including smoke density. If a manufacturer installs an emission control device in a car, it is forbidden to remove it.</p>
Air space over high-ways	see HIGHWAY - use of space over	
AIRCRAFT NOISE		<p>Refer to "New Housing and Airport Noise" a supplement to the C.M.H.C. site planning handbook.</p>

Subject

Reference

Description and Notes

AIRPORT ZONING

Aeronautics Act (Fed.)

In the vicinity of an airport, the Minister of Transport may regulate the height of buildings through a zoning plan, registered on title. Persons injuriously affected may recover compensation. Light, smoke and noise which could interfere with airport operations may also be prohibited. Planning guidelines for the use of land outside the airport property boundary are published by the Canadian Air Transportation Administration.

ANIMALS

Municipal Act 354(1)1-7

Council may regulate the keeping of animals, prohibit them or limit their number in any area of the municipality. Applies to birds, fowl, cattle, mink, foxes, rabbits, reptiles, goats, swine and other animals. Dog and cat kennels may be regulated.

Archaeological preservation

see CONSERVATION (CULTURAL)

Architectural preservation

see CONSERVATION (CULTURAL)

AREA RATE

- police

Police Act 22

Police costs may be met by levying rates that are different between areas defined by the council or by levying rates in one or more of such areas only.

see also DRAINAGE -;
IMPOSTS; LOCAL IMPROVEMENTS;
PUBLIC TRANSPORTATION -;
PUBLIC UTILITIES -;
RECREATION -;
SEWERAGE -;
WASTE MANAGEMENT -;
WATERWORKS -;
HYDRO-ELECTRIC POWER;
IMPROVEMENT AREA FOR THE
BEAUTIFICATION OF SHOPPING
AREAS

ASSESSMENT

- property exempt from taxation

Assessment Act (Revenue)

3 The following types of property are exempt from taxation:
Federally or provincially owned land, Indian lands, churches, cemeteries, public or separate school buildings and grounds, universities, seminaries, public hospitals, charitable institutions, industrial farms, scouts and guides property, municipal property, public libraries, horticultural societies, exhibition buildings,

- business assessment

4 Council may also by by-law exempt land owned by religious institutions and used for recreation.

- market value

7 In addition to land assessment, a sum computed as a percentage of the land assessment is charged as business assessment.

- areas exempt from taxation

27 "Market value" is the amount that land might be expected to realize if sold in the open market by a willing seller to a willing buyer.

29 Council must annually pass a by-law declaring what parts, if any, of the municipality are exempt or partly exempt from taxation for expenditures incurred for waterworks, fire protection, garbage collection, sidewalks, pavements, sewers, street lights and street maintenance.

- golf course

31 A golf course may be granted fixed assessment. (Not applicable to buildings, and does not apply to local improvement taxation.)

see also UNORGANIZED TERRITORY

Assessment information for planning

P.A. 7

ASSUMPTION PLAN

Public Transportation and Highway Improvement Act 6

This is a plan registered by the Minister of Transportation and Communications to establish the vesting of a highway in the Crown.

Automobile

see MOTOR VEHICLE, CAR WASH

Automobile emissions

see AIR POLLUTION

Automobile service station

see SERVICE STATION

Automobile wrecking yard

see JUNK YARDS

Subject	Reference	Description and Notes
Barn	see GARAGE; AGRICULTURAL POLLUTION	
BEACHES AND SHOR	Public lands Act (Natural Resources)	47 The Minister and any municipality may enter into agreements respecting the control and management by the municipality of any public lands comprised of beaches or lands covered with water.
	Beach Protection Act (Natural Resources)	65 Public land that is a beach and is travelled upon is not by reason thereof a highway within the meaning of any Act. Prohibits the moving of any sand (earth, gravel, etc.) from a bed, beach bank, etc. of any lake, river or stream without a license issued by the Minister.
	Municipal Act 352(47,49)	Council may preserve shores, harbours, bays, riverbanks, etc.
	see also NAVIGABLE WATERWAYS	
Beds of Navigable Waters	see NAVIGABLE WATERWAYS	
BEES	Bees Act 19 (Agriculture and Food)	In a rural area, no person may locate a bee-hive closer than 30 feet to a highway, dwelling or cultivated field, unless they are separated by a 7-foot high solid fence extending at least 15 feet on each side of the hives. In an urban municipality or in a designated suburban district of a township, bee-hives must be at least 100 feet away from a lot line adjoining lands occupied by a dwelling, a community centre, a public park or other place of public assembly or recreation.
BICYCLE AND FOOT PATHS	Municipal Act 453(4)	Council may set aside a part of a highway as a bicycle or foot path.
Billboards	see SIGNS	
BLOCK OUTLINE SURVEY	Boundaries Act 1(a) (Consumer & Commercial Relations)	"Block outline survey" means a survey in which outline monuments are placed at suitable points at or near some or all highway intersections or angles in highway boundaries, or, in cases where no highway exists, then at other suitable points.
BOATHOUSES	Municipal Act 363(1)	By-laws may be passed by councils of urban municipalities for inspecting boathouses.
Boats	see PUBLIC HEALTH -; WATER CANALS	
BOULEVARDS	Municipal Act 453(1,2) and 433(1)(e)	Council may set aside part of a highway as a boulevard and permit abutting owners to maintain it. (See also Local Improvements.)
BOUNDARIES	Boundaries Act (Consumer & Commercial Relations)	This Act provides for the confirmation of boundaries on a plan which may be in doubt.
	Territorial Division Act	1 The territorial division of Ontario into counties and districts and metropolitan and regional areas is described in this Act. 8-12 The boundaries of townships lying on certain lakes and rivers are described. 13 Where doubt exists regarding the township to which an island or other land belongs, a declaration may be sought under <u>The Municipal Corporations Quieting Orders Act.</u> 14 The Lieutenant Governor in Council may establish new townships, alter the boundaries of territorial districts, alter township boundaries in areas where no letters patent have been issued, and annex any gore or tract of land not forming part of a township to any adjoining township.
Bridges	see LOCAL IMPROVEMENTS; HIGHWAY	
Building by-laws	P.A. 38	
BUILDING ENCROACHING ON HIGHWAY	Municipal Act 354(1) 93	Council may permit an inadvertent encroachment and charge an annual fee.

Subject

Reference

Description and Notes

Building Standards

see PUBLIC HEALTH -

BUILT-UP AREA

Highway Traffic Act 1(1)

- 1 "Built-up area" means the territory contiguous to a highway not within a city, town, village or police village where,
- i. not less than 50 per cent of the frontage upon one side of the highway for a distance of not less than 600 feet is occupied by dwellings, buildings used for business purposes, schools or churches, or
 - ii. not less than 50 per cent of the frontage upon both sides of the highway for a distance of not less than 300 feet is occupied by dwellings, buildings used for business purposes, schools or churches, or
 - iii. not more than 600 feet of the highway separates any territory described in subparagraph i or ii from any other territory described in subparagraph i or ii,
- and signs are displayed as required by the regulations.

Subject	Reference	Description and Notes
Cable T.V.	see TRANSMISSION POLES; WIRES	
Camps	see PUBLIC HEALTH -	
Canals	see WATER CANALS IN SUBDIVISIONS	
CANOPIES	Municipal Act 453(3)	Council may permit canopies to project over the sidewalk and may levy an annual fee.
CAR WASH	Municipal Act 354(1)134	Council may license, regulate and govern the owners or operators of car washes.
Car wreckers	see JUNK YARDS	
Caution on title	see DEED RESTRICTIONS	
CEMETERY	Cemeteries Act (Consumer & Commercial Relations)	<p>1 Columbarium, crematorium, mausoleum and cemetery are defined.</p> <p>5 No cemetery may be established or enlarged except with Ministry approval.</p> <p>41 Establishment and enlargement may occur by expropriation.</p> <p>63 The closing of a cemetery requires an order of Cabinet.</p> <p>58,59 Removal of bodies requires the assent of the Cabinet.</p> <p>68,70 Management of a cemetery may be vested in a Board of Parks Management or a Cemetery Board. See also: Regulations</p>
Certificate of compliance	P.A. 38(26)	
Certificate of occupancy	P.A. 35(4)	
Columbarium	see CEMETERY	
COMMERCIAL MOTOR VEHICLE	Highway Traffic Act (1)3	"Commercial motor vehicle" means a motor vehicle having permanently attached thereto a truck or delivery body and includes ambulances, hearses, casket wagons, fire apparatus, police patrols, motor buses and tractors used for hauling purposes on the highways.
Committee of Adjustment	P.A. 31, 41, 42	
C.M.H.C.	see HOUSING	
COMMUNITY CENTRE	Community Recreation Centres Act (Community and Social Services)	<p>1(1)e "Community Recreation Centre" means land or all or any part of a building or buildings or structures established in accordance with this Act that is maintained and operated for community recreation activity. (A community centre established under The Community Centres Act is deemed a Community Recreation Centre)</p> <p>2 Council may by by-law establish and operate community recreation centres and may grant them aid.</p> <p>3 In unorganized territory a board with jurisdiction may establish and operate community recreation centres.</p> <p>4 Councils may enter into agreements for joint use of community recreation centres and may appoint a committee of management.</p> <p>6,9 The Minister may make grants to municipalities and boards for community recreation centre purposes.</p> <p>12 Cabinet may make regulations for community recreation centres.</p>
- unorganized territory		
- joint use		
COMMUTER SERVICES	Commuter Services Act (Transportation & Communications)	This Act establishes the framework for the operation of commuter services by the provincial government and municipalities.
Compiled plan	see REGISTRAR'S COMPILED PLAN	
COMPLETE SURVEY	Boundaries Act 1(b) (Consumer & Commercial Relations)	"Complete survey" means a survey that defines on the ground every angle of every parcel in the area surveyed.

Subject	Reference	Description and Notes
COMPOSITE PLAN	Land Titles Act 164 & 171(2) (Consumer & Commercial Relations)	Similar to a Judge's Plan but applies to crown land. Application is made by the Minister of Natural Resources to the Director of Land Registration. A composite plan is not subject to the provisions of The Planning Act.
COMPOSITE TOWNSHIP	(TEIGA Library definition)	A township municipality composed of more than one geographic township, or composed of a geographic township and an area such as a mining location or a large island or improvement district.
COMPOSITE PLAN	Land Titles Act 164 & 171(2) (Consumer & Commercial Relations)	Similar to a Judge's Plan but applies to crown land. Application is made by the Minister of Natural Resources to the Master of Titles. A composite plan is not subject to the provisions of The Planning Act.
COMPOSITE TOWNSHIP	(TEIGA Library definition)	A township municipality composed of more than one geographic township, or composed of a geographic township and an area such as a mining location or a large island or improvement district.
CONDOMINIUM	Condominium Act (Consumer & Commercial Relations)	Section 24 relates a condominium application to The Planning Act (see also O.Reg. 98, as amended).
Connecting link	see HIGHWAY -	
Consent	P.A. 29	
CONSERVATION (CULTURAL)	Ontario Heritage Act (Culture & Recreation)	Part I This part establishes the overall responsibility of the Minister for heritage conservation, protection and preservation. Part II The Ontario Heritage Foundation is appointed by Cabinet. It may acquire and hold property, make grants, advise the Minister, etc. Part III A conservation Review Board is appointed by Cabinet to hear appeals under Parts IV and VI. Part IV Individuals properties may be designated by a municipality which may consult a Local Architectural Conservation Advisory Committee. There is provision for hearings, appeals, etc. Council approval is required prior to alterations or demolitions. Council may acquire or expropriate the properties or may make grants for alterations. Part V If the official plan so provides, a whole area may be designated by a municipality as a historic conservation district. The by-law requires an O.M.B. hearing and approval. It provides protection against demolitions, alterations, removals or erections, but demolition or removal can only be denied for 180 days. Part VI Archaeological exploration is only permitted by licence from the Minister. After due notice, property may be designated as archaeologically or historically significant. Thereupon no excavation, alteration or removal of objects may occur except by permit from the Minister. There is provision for appeals, hearings, etc. The Minister may also issue a 180 day stop order if a property is likely to be damaged by commercial, industrial or other development. Compensation is provided for.
- conservation review board		
- local architectural conservation advisory committee		
- heritage conservation districts		
	Historic Sites & Monuments Act (Fed.)	A nation-wide inventory of historic buildings is in progress. Provision is made for Federal financial involvement but it has not been substantial in Ontario.
Conservation (Housing)	see HOUSING - neighbourhood improvement	
CONSERVATION (NATURAL ENVIRONMENT)	Conservation Authorities Act (Natural Resources)	2,3 A Conservation Authority may be established by Cabinet upon request of municipalities in a watershed. Where a Region exists, it is the sole participating municipality for its area. 19,20 The powers and objectives of an Authority are described. They include an involvement in the management of all natural resources other than gas, oil, coal and minerals. Specifically: dams, reservoirs, parks and recreation and tree planting are mentioned. 27 Subject to Cabinet approval, an Authority may regulate: the use of water from rivers and lakes, interference with a watercourse, the location of irrigation ponds, the erection of structures in the "regional storm" flood plain, and the dumping of fill. 31 If a project affects Crown Land, a public work, a Hydro project or a road, a plan must be filed and approval obtained from the appropriate Minister.

Subject	Reference	Description and Notes
Conservation Review Board	see CONSERVATION (CULTURAL) -	
Controlled access highway	see HIGHWAY -	
Controlled access road	see HIGHWAY -	
CONTROL ORDER	Environmental Protection Act 69-76	The Ministry may issue control or stop orders to reduce or stop pollution of the natural environment.
CONVEYANCE	Conveyancing and Law of Property Act 1(1) (Attorney General)	"Conveyance" includes an assignment, appointment, lease, settlement, and other assurance, made by deed, on a sale, mortgage, demise, or settlement of any property or on any other dealing with or for any property and "convey" has a meaning corresponding with that of conveyance.
	Land Transfer Tax Act (Revenue)	1(1)c "conveyance" includes any instrument or writing by which land is conveyed and includes a final order or foreclosure under any mortgage or charge affecting land.
Co-operative housing	see HOUSING -	
Cottage	see PUBLIC LANDS - summer resort location	
COUNTY	Planning Act 1(g) Municipal Act 1 and 7	The definition of a municipality in The Planning Act excludes a county; consequently the planning authority of a council re: zoning etc. is not given to a county except when specifically stated. (See HIGHWAYS - county). The Municipal Act differentiates between a "local municipality", which excludes a county, and a "municipality", which is defined as "a locality the inhabitants of which are incorporated." (includes a county)
County road	see HIGHWAY -	
Covenant	see DEED RESTRICTIONS	
Crematorium	see CEMETERY	
Crown land	see PUBLIC LANDS	
Culverts	see HIGHWAY -	

Subject	Reference	Description and Notes
Dams	see LAKES AND RIVERS; CONSERVATION; DRAINAGE; PUBLIC LANDS -	
DANGEROUS MANUFACTURES	Municipal Act 354(1)35	Council may prohibit or regulate the carrying on of trades that may be a fire hazard.
DAY NURSERY	Day Nurseries Act 1(c) (Social and Family Services)	"Day nursery" means a place that receives for temporary custody for a continuous period not exceeding twenty- four hours more than three children under ten years of age not of common parentage and that is not, (i) part of a public school under The Public Schools Act, (ii) part of a separate school under The Separate Schools Act, (iii) part of a private school registered under The Department of Education Act, or (iv) a children's mental health centre under The Children's Mental Health Centres Act.
Debentures	see MUNICIPAL BOARD	
DEED RESTRICTIONS	Land Titles Act (Consumer and Commercial Relations)	128 A land owner may apply to the Land Registrar to have conditions or restrictions entered on the register (i.e. on title) which bind subsequent owners to do or not to do certain things without authorization from named persons. 129 Covenants, conditions and restrictions may be contained in a transfer (i.e. deed) or may be registered pursuant to an application. To be registrable, such covenants, conditions and restrictions must run with or be capable of being legally annexed to land. 143 A caution on title has the effect that no dealing with the land may occur without the consent of the cautioner. 144 A registered caution expires automatically in five years unless renewed. The owner of land affected by a caution may apply to the Land Registrar to have the caution removed at any time.
Delegation of Minister's Power	P.A. 44b	
Demolition control	P.A. 37a	
Derelict motor vehicles	see ABANDONED MOTOR VEHICLES	
Developers' agreements	see IMPOSTS; P.A. 33(6)	
Development control	see NIAGARA ESCARPMENT -; P.A. 35a	
Development plan	O.P.D.A. 2, 5-17	
Development plan area	O.P.D.A. 2	
Development road	see HIGHWAY -	
DEVIL STRIP	Municipal Act 460(7)	The area between two sets of tracks of a street rail- way is called a devil strip.
Distilleries	see INDUSTRIAL NUISANCES	
Domestic animals	see ANIMALS	
DRAINAGE	Drainage Act (Agriculture and Food)	The Act contains various provisions permitting individ- uals and municipalities to initiate and maintain drainage works. 1(g) "Drainage works" includes a drain constructed by any means, including the improving of a stream, creek or watercourse, and includes works necessary to control the water table or level within or on agricultural lands or to regulate the level of the waters of a drain, reservoir, lake or pond, and includes a dam, embankment, wall, protective works or any combination thereof. 3 The cost of drainage works constructed on petition must be assessed against the lands and roads within the area requiring drainage.
- area assess- ment		

(Cont'd)

Subject	Reference	Description and Notes
DRAINAGE (CONT'D)		
- expropriation	Expropriations Act (Attorney General)	41 A council raising money to pay for drainage works must impose a special assessment upon the land assessed for the works.
	Municipal Act 354(1)69 & 73; 352(16)	60 Except as authorized by an M.O.E. approved local by-law, no person may discharge any substance into a drainage works other than unpolluted drainage water.
	Agricultural Tile Drainage Installation Act	62,64 Provincial grants range from 33-1/3% in a county to 80% in unorganized territory.
	Tile Drainage Act (Agricultural and Food)	2 The Expropriation Act does not apply to land used under the authority of The Drainage Act.
Dumping of fill	see CONSERVATION; PUBLIC LANDS -	Council may require and regulate private drains; and may construct service drains from a sewer to the line of the highway. Council may construct drainage and sewerage systems and flood control works.
Dumps	see WASTE DISPOSAL; LANDFILL	This Act provides for the regulation and licencing of tile drainage installation operators.
		This Act provides for loans to farmers from municipalities to construct tile drains. Loans are repaid by a rate levied on the property and financed in the interim by municipal debentures sold to the Treasurer of Ontario.

Subject	Reference	Description and Notes
ELDERLY PERSONS CENTRE	Elderly Persons Centres Act (Social & Family Services)	3 Council may, with the Minister's approval, establish and subsidize social and recreational centres for elderly persons.
Elderly persons housing	see HOUSING -	4 Cabinet may make grants toward the establishment and maintenance of such centres, and may make regulations governing them.
ENCUMBRANCE	Condominium Act 1(k) (Consumer & Commercial Relations)	"Encumbrance" means a claim that secures the payment of money or the performance of any other obligation, and includes a charge under The Land Titles Act, a mortgage and a lien.
	Land Titles Act (Consumer & Commercial Relations)	Zoning and subdivision control do not, of themselves, constitute an encumbrance on title within the meaning of The Land Titles Act.
ENFORCEMENT OF BY-LAWS	Municipal Act 469	Where council has authority to require that something be done and the person required to do it fails to fulfill that obligation, council may do it at his expense and charge the cost to him on his tax bill. (Reference to this clause must be made in the enabling legislation relating to the specific authority).
- fines	Municipal Act 466	Council may impose fines of up to \$1,000 for any municipal by-law infraction.
- action to restrain contravention of by-law	Municipal Act 470	In addition to any other remedies, a by-law contravention may be restrained by a ratepayer, the corporation, or a local board.
	see also HYDRO ELECTRIC POWER -	
ENTRY ON PRIVATE PROPERTY	Interpretation Act 27(b) (Attorney General)	"In every Act, unless the contrary intention appears, where power is given to a person, officer or functionary to do or to enforce the doing of an act or thing, all such powers shall be understood to be also given as are necessary to enable the person, officer or functionary to do or enforce the doing of the act or thing".
		Some acts include specific reference to the authority to enter on private property. For instance, Section 36 of The Planning Act re maintenance and occupancy or paragraph 41 of Section 354(1) of The Municipal Act re fire matters. Other areas of legislation include no such reference and the courts would be required to determine if such entry were legally permissible.
	see also HYDRO ELECTRIC POWER -	
ENVIRONMENTAL APPEAL BOARD	Environmental Protection Act (77-81)	This Board may hear appeals from administrative decisions of the Ministry.
Erosion control	see CONSERVATION (NATURAL ENVIRONMENT)	
Escarpment	see NIAGARA ESCARPMENT	
Esthetics	see Aesthetics	
Exemptions from taxation - areas or property	see ASSESSMENT	
EXPLOSIVES	Municipal Act 354(1)9-18	Council may regulate storage of inflammable or explosive substances and may prohibit the manufacture of such substances.
	see also DANGEROUS MANUFACTURES	
Expressway	see HIGHWAY -	
EXPROPRIATION	Municipal act 335-338	Council may pass by-laws to expropriate land, even in another municipality, with O.M.B. approval.

(Cont'd)

Subject	Reference	Description and Notes
EXPROPRIATION (CONT'D)		
- Land Compensation Board	<p data-bbox="264 210 551 243">Expropriations Act (Attorney General)</p> <p data-bbox="264 453 551 487">Expropriation Act (federal)</p> <p data-bbox="264 546 551 579">see also HOUSING -; DRAINAGE -</p>	<p data-bbox="551 210 1067 277">Various provisions. Notice of application to expropriate must be served on the owner, who may request a hearing. The approving authority is either a council, a school board or a Minister.</p> <p data-bbox="551 285 1067 319">9 Where appropriate, land may be expropriated for a limited period.</p> <p data-bbox="551 327 1067 378">13 Compensation is based on market value plus any disturbance considerations, including disturbance to a tenant, and injurious affection.</p> <p data-bbox="551 386 1067 445">26,28 A Land Compensation Board may determine the compensation to be paid if the parties cannot agree. Appeal lies to the Court of Appeal.</p>
		<p data-bbox="551 453 1067 529">The federal government may expropriate land that is required by the Crown for any public purpose. Some expropriations are governed by the Railway Act. Provision is included for notice, public hearings, compensation, negotiation, etc.</p>

Subject	Reference	Description and Notes
Family housing unit	see HOUSING -	
Farm	see HOUSING -	
FARMING	Land Speculation Tax Act 1(1)f (Revenue)	"farming" includes tillage of the soil, the breeding, raising or grazing of livestock of all kinds, the raising of poultry and the production of poultry products, fur farming, dairy farming, fruit growing, the growing of food for human consumption or for the feeding of livestock, and the keeping of bees.
FENCES	Municipal Act 354(1)19-24	Council may prescribe the height and description of lawful fences. S.S. 24 refers in more detail to fences around private swimming pools.
	Snow Roads and Fences Act (10-12) (T.E.I.G.A.)	Council may pass by-laws requiring owners of land bordering a public highway to remove any fence that causes an accumulation of snow on any property adjoining a highway.
	Line Fences Act 2(1) (T.E.I.G.A.)	Owners of adjoining lands are required to fence the boundary between them.
	Public Transportation and Highway Improvement Act 27(8)	The Ministry may enter on any property adjoining a highway to erect snow fences. It also has control over private fences adjoining a highway (see "Highway")
	see also OBSTRUCTION OF VIEW	
FERRIES	Public Transportation and Highway Improvement Act 91a	The Minister may operate a ferry service and may subsidize a municipality to operate a ferry.
	Ferries Act (Transportation and Communications)	1 The Lt. Gov. may license a ferry under the Great Seal for a term of up to seven years at a time. 5 A township, town or village council may establish, operate, license and regulate ferries, with the approval of the Lt. Gov. in council. A county council has similar power for an operation between different municipalities.
Fines	see ENFORCEMENT OF BY-LAWS -	
FIRE MATTERS	Municipal Act 354(1)25-45	Council may prohibit or regulate various matters for fire safety, including prohibiting wooden buildings or fences and requiring buildings and yards to be put in a safe condition.
- area rate	Municipal Act 376-1	A township council may levy an area rate to meet the cost of fire protection in a defined area.
	Fire Department Act (Solicitor General)	1-10 Various provisions relating to full-time fire fighters in municipalities of more than 10,000 people. 11 This Act prevails over municipal by-laws.
	see also DANGEROUS MANUFACTURES; building by-laws: P.A. 38	
Fixed assessment	see NIAGARA ESCARPMENT; PARKWAY BELT -	
Flood control	see CONSERVATION; DRAINAGE	
Flood lighting	P.A. 35a	
Forest road	see HIGHWAY -	
Freeway	see HIGHWAY -	
FUR FARMS	Fur Farms Act (Agriculture & Food)	1(c) "Fur farm" means premises where fur bearing animals are kept in captivity for propagation or the production of pelts for commercial purposes. 3 All fur farms must be licensed and are governed by regulations.

Subject	Reference	Description and Notes
GARAGE	Municipal Act 354(1)	124 Council may regulate the location of garages, stables, barns, outhouses and manure pits.
	Highway Traffic Act 1(1)9	133 Council may limit the number of service stations and public garages. "garage" means every place or premises where motor vehicles are received for housing, storage or repairs for compensation.
Garbage	see WASTE MANAGEMENT	
Garbage incinerator	see INCINERATOR	
Gasoline pumps	see HIGHWAY - King's & County; OBSTRUCTION OF VIEW	
Gasoline Station	see SERVICE STATION	
Gasoline storage	see EXPLOSIVES	
Gas works	see INDUSTRIAL NUISANCES	
Go-karts	see MOTOR VEHICLE RACING	
Golf course	see ASSESSMENT -	
Gravel pit	see PITS AND QUARRIES	

Subject	Reference	Description and Notes
Health unit	see PUBLIC HEALTH -	
Heritage conservation districts	see CONSERVATION (CULTURAL) -	
HIGHWAY	Municipal Act 443-452	This deals with road widening, diversions, closings, openings, etc. and prohibition of vehicular traffic or pedestrian traffic. No highway less than 66 feet in width may be laid out by council without the Minister's approval. (450)
	Public Transportation & Highway Improvement Act	1 "Highway" means a common or public highway, or any part thereof, and includes a street, bridge or any other structure incidental thereto and any part thereof. "Road" has the same meaning as highway and "roadway" means the part of the road designed for vehicular traffic.
- King's Highway		28 Access to a King's Highway is controlled through a permit issued by the Minister.
		31 The Minister has control over the erection of buildings, gasoline pumps, fences, trees, etc. within 150 feet of any King's Highway and within 600 of any intersection. No shopping centre, stadium, drive-in theatre, etc. may be established within a quarter mile, except by permit from the Minister.
- connecting link		19 Any road deemed by the Minister to be a connecting link between parts of the King's Highway system may be so designated and the Minister may enter into agreement for the construction and maintenance of these connecting links by a municipality or by the Ministry. The proportion of the cost met by the Province varies from 75% to 100%.
- controlled access highway		33,34 Designation as a controlled access highway permits the Minister to close any intersecting road and to control all private access. Similar control exists over buildings, signs, shopping centres, etc. as for a King's Highway, but the distance from an intersection is increased from 600 feet to 1300 feet.
- controlled access road		88-90 A municipality may, with the approval of the Minister or the O.M.B., designate a controlled access road and close intersecting roads and restrict access.
- secondary highway		37 All the provisions applying to a King's Highway apply also to a secondary highway.
- tertiary road		38 An existing road in unorganized territory may be designated as a tertiary road, whereupon all regulations for King's Highway apply, except sections 30 and 31. M.T.C. maintains these roads but need not clear snow and is not liable for damage.
- resource road		39 A tertiary road may be designated as a resource road. As a result certain load limits and other provisions of the Highway Traffic Act do not apply.
- industrial road		40 A private road used for lumbering, pulp or mining operations and also by the public may be designated as an industrial road. The Minister and the owner may enter into an agreement re maintenance.
- county road		41-59 Various provisions relating to the establishment and maintenance of a county road system, including bridges. A county is not liable for sidewalks.
- zoning		60 A county has, with respect to land within 150 feet of a county road, all the power conferred on a local municipality by Section 35 of The Planning Act. Such county by-law would take precedence over a local by-law in case of conflict.
- gas pumps, signs		61 A county may prohibit or regulate (and provide for the issuance of permits for) gas pumps within 150 feet and advertising signs within a quarter mile of a county road. (See also "Obstruction of view")

(Cont'd)

Subject	Reference	Description and Notes
HIGHWAY (CONT'D)		
- suburban road		63-69 Certain county roads may be designated as suburban roads. Cities and separated towns contribute to their construction and maintenance and are represented on the suburban roads commission. Suburban roads continue to be county roads.
- township road		70-75 Various provisions relating to grants, cost sharing with a neighbouring town, etc. 76 A township council may levy a higher road rate upon suburban or resort subdivisions than upon the rest of the township. (With the Minister's approval)
- city, town, village road		77-84 Various provisions relating mainly to subsidies.
- district, metropolitan, or regional road		84a-84d Various provisions relating mainly to subsidies.
- development road		85 If the traffic load on a township road requires greater expense than the municipality can afford, the Minister may designate it a development road and subsidize it. The same applies to a road in a territorial district under town or village jurisdiction.
- expressway		91(a) "Expressway" means a divided arterial highway that is accessible only from intersecting arterial streets at intersections at grade that have been approved by the Minister and, where required by the volume of traffic, at grade separated interchanges that have been approved by the Minister.
- freeway		91(b) "Freeway" means a divided arterial highway that is accessible only from intersecting arterial streets at grade separated interchanges that have been approved by the Minister.
- forest road	Public Lands Act (Natural Resources)	50-57 Private and public forest roads on public lands are defined.
- use of space over or under a highway	Municipal Act 453(3a)	Council may make agreements for pedestrian walkways over or under a highway. The Minister may authorize the use of space over or under a highway under the jurisdiction of his ministry.
- leasing use of untravalled portions	Public Transportation & Highway Improvement Act 2(3) Municipal Act 454	Council may lease or license the use of untravalled portions of highways under their jurisdiction to the owners of abutting commercial or industrial land; the use of that land may be controlled for parking or other purposes.
	see also "ROAD...", "OBSTRUCTION OF VIEW"	
Historic conservation	see CONSERVATION (CULTURAL)	
HISTORICAL PARK	Tourism Act 10 (Industry & Tourism)	Cabinet may designate an historical park. The Minister is responsible for its development, management and control.
Home Improvement loans	see HOUSING -	
Home ownership loans	see HOUSING -	
Home renovation	see HOUSING - rehabilitation, conversion	
HOUSING	Housing Development Act (Housing)	1 "Building development" and "building development corporation" are defined. 2 Cabinet may guarantee loans, advance money, etc. for building development, for the acquisition and rehabilitation of housing units and for urban renewal.
- research		3 The Minister may make grants in aid of housing studies and research.

(Cont'd)

Subject

Reference

Description and Notes

HOUSING (CONT'D)

- joint projects		5,68 Municipalities, the province and the federal government may co-operate in joint housing projects. A housing corporation may carry out and manage a housing project.
- expropriation		7 The Minister may expropriate land for a housing project.
- publicly leased housing		9 Privately-owned housing may be leased by a corporation for low income families.
- municipal projects		16 If there is an official plan in effect in a municipality that includes provisions relating to the provision of housing, which provisions have been approved by the Minister subsequent to the coming into force of this section, or if the council of a municipality has adopted a policy statement containing provisions relating to the provision of housing, which statement has been approved by the Minister, the council of the municipality may, <ul style="list-style-type: none"> (a) acquire and hold land, with or without buildings thereon within the municipality for the purpose of a housing project; (b) survey, clear, grade, subdivide, service and otherwise prepare such land for the purpose of the project and (c) sell, lease or otherwise dispose of such land for a nominal or other consideration for housing purposes.
- adjoining land		17(b) A municipality may enter into an agreement with any person or governmental authority undertaking a housing project to provide that certain specified uses of land are maintained adjoining the project for a specified period.
- temporary projects		18 In an emergency, a municipality may erect temporary housing accommodation.
- family housing unit	National Housing Act (M.S.U.A.)	2 "Family housing unit" means a unit providing therein living, sleeping, eating, food preparation and sanitary facilities for one family, with or without other essential facilities shared with other family housing units.
- farm		"Farm" means land used for any tillage of the soil, including livestock raising, dairying and fruit growing.
- house		"House" means a building, together with the land upon which it is situated, intended for human habitation comprising not more than two family housing units.
- multiple-family dwelling		"Multiple-family dwelling" means a building containing three or more family housing units.
- one-family dwelling		"One-family dwelling" means a house consisting of one family housing unit not attached to or forming part of any other house.
- semi-detached dwelling		"Semi-detached dwelling" means a family housing unit joined by a common or party wall to one other family housing unit.
- mortgages	Part I	5-12 Part I deals with insured mortgage loans.
- rental housing	Part II	13 C.M.H.C. may contract with builders to guarantee rentals from low income housing of over 7 units. 14 Rental housing projects may be financed to 85% of their cost.
- low rental housing		15 Low rental housing projects may be financed by C.M.H.C. loans for up to 95% of the lending value of the project. 15.1 For charitable, co-operative or municipally-owned projects, the maximum loan may be 100% of the lending value of the project.
- urban renewal	Part III	16 C.M.H.C. may make loans for low or moderate cost housing in connection with mining, lumbering or fishing. 22-25.1 Funds have been cut off. See urban renewal.

(Cont'd)

Subject	Reference	Description and Notes
HOUSING (CONT'D)		
- neighbourhood improvement	Part III.1	<p>27.1 C.M.H.C. may make loans for improving the amenities of neighbourhoods and the housing and living conditions of the residents. A detailed description is given of the condition under which an agreement may be made for a loan.</p> <p>27.2 The maximum C.M.H.C. contribution is 50% of the cost of most of the improvements, but only 25% of the cost of improving municipal or utility services.</p> <p>27.3 C.M.H.C. may also help finance small-scale site clearance outside neighbourhood improvement areas for housing or recreational or social facilities.</p> <p>27.5 Loans may also be made to the municipality.</p> <p>27.7 No applications may be approved under this part after March 31, 1978.</p>
- home improvement loans	Part IV	28-33 C.M.H.C. may guarantee bank loans for home improvement.
- rehabilitation and conversion		34.1 Loans may be made to the owners of family housing units for improvement and rehabilitation, but only in areas where standards of maintenance and occupancy have been adopted.
- home ownership loans		34.15 Loans may also be made to assist in the construction or acquisition of houses or condominium units by individuals.
- co-operative housing		34.18 Loans or contributions may be made to assist co-operative housing associations.
- research, etc.	Part V	<p>35 C.M.H.C. is responsible for research into housing conditions for the promotion of improved housing and for encouraging the adoption of community plans.</p> <p>36,37 More specific descriptions of C.M.H.C. powers and responsibilities.</p>
- public housing	Part VI	<p>40 C.M.H.C. may undertake public housing projects jointly with any provincial agency.</p> <p>42-43 C.M.H.C. may make loans to public housing agencies to acquire and service land for housing purposes, and to build or acquire public housing (Maximum 90%).</p> <p>44 C.M.H.C. may make contributions to subsidize housing accommodation for persons of low income.</p>
- new communities	Part VI.1	45.1 See NEW COMMUNITIES.
- student housing	Part VII	47 C.M.H.C. may make loans to a municipality, provincial agency, hospital, school board, university, co-operative association or charitable corporation for student housing projects (Maximum 90%).
- sewage treatment projects	Part VIII	50 See SEWERAGE.
- rural housing mortgages	Rural Housing Assistance Act (Housing)	1 The Rural Housing Finance Corporation exists to invest mortgage money for the assistance of housing construction in rural villages, hamlets and other rural areas.
- elderly persons	Elderly Persons Housing Aid Act (Housing)	<p>1 The Minister may make grants to assist projects of low rental housing for the elderly.</p> <p>2 The maximum amount of such grant is the lesser of \$500 per unit or 50% of the capital cost not financed under the National Housing Act.</p>
HYDRO-ELECTRIC POWER	Power Corporation Act (Energy)	<p>58 This Act describes the authority and function of Ontario Hydro.</p> <p>24(1) Ontario Hydro may be authorized by Cabinet to acquire or flood any land, if necessary without the owner's consent; and to divert any watercourse.</p>

(Cont'd)

Subject

Reference

Description and Notes

HYDRO-ELECTRIC POWER
(CONT'D)

- entry on private
property

- area rate

- underground
wiring

Rural Hydro-Electric
Distribution Act
(Energy)

33(2) Ontario Hydro may enter upon land adjoining a power right of way to remove obstructions.

64,73 Municipal agents may enter on private property without the owner's consent to erect transmission lines and to interrupt or decrease delivery of power.

68 A Township Council may, with Ontario Hydro approval, distribute power in the whole municipality or in part of it, and may establish a Hydro-Electric Commission.

83 A Township Council may contract with Ontario Hydro for street lighting and may establish an area rate.

84 All of Ontario not forming part of an area with a Hydro contract is deemed to form one rural power district, wherein the Corporation supplies power directly.

105-107 Ontario Hydro may direct that all telegraph, telephone and hydro wires be placed underground in cities and towns.

1,2 Grants of up to 50% may be made to municipalities or commissions supplying power to areas in a rural power district or to an adjoining township.

Subject	Reference	Description and Notes
IMPOSTS	Municipal Act 309	Contributions received by municipalities in connection with a subdivision may only be used for expenditures benefitting the occupiers of that subdivision. If not required or not likely to be required for the above purpose, however, the contributions may be expended for some other purpose.
	Municipal Act 359	With O.M.B. approval, Council may impose a special charge on classes of buildings that may impose a heavy load on the sewer or water system. These charges are a lien against the property.
IMPROVED LAND	Municipal Affairs Act 27(a)	"Improved land" means a parcel of land separately assessed that has a building thereon, and includes any land in actual use for agricultural purposes, although there is no building thereon.
IMPROVEMENT AREA FOR BEAUTIFICATION OF SHOPPING AREA	Municipal Act	361 Council may designate an Improvement Area and establish a Board of Management to beautify municipally owned lands, buildings and structures in an area for the purpose of promoting the area as a shopping area. The cost is charged to owners in the area.
IMPROVEMENT DISTRICT	Municipal Act 10(2), 11, 501-503	A municipal entity like a township or village but with a 3 person Board of Trustees appointed by Cabinet instead of an elected council.
INCINERATORS	Municipal Act 354(1)45	Council may prohibit garbage incinerators in any class of buildings erected after September 1, 1966.
	Waste Management Act Regulation 11	Regulation 11 relates to standards of location and operation.
INDEX OF MUNICIPAL BY-LAWS	Municipal Act 216	The clerk of every municipality must keep an index book of every zoning by-law and every other by-law that affects land without directly affecting title of land.
INDUSTRIAL NUISANCES	Municipal Act 354(1)114	Council may regulate potentially noxious trades and may prohibit or regulate tanneries, gas works, distilleries or other manufactories that may cause a nuisance.
	Public Health Act 97	Consent of the local board or the municipal council must be obtained for the establishment of any of the following trades: blood boiling, bone boiling, refining coal oil, extracting oil from fish, storing hides, soap boiling, tallow boiling, tripe boiling, slaughtering animals, tanning hides or skins, manufacturing gas, manufacturing glue, manufacturing fertilizer from dead animals or from human or animal waste, or any other trade that is or may become offensive. Provision is made for fine of up to \$250, plus \$20 per day.
Industrial roads	see HIGHWAY -	
Industrial sewage disposal	see SEWERAGE	
INDUSTRIAL SITES	Municipal Act 354(1)50	Council may acquire and expropriate land for industrial sites and may sell or lease it for industrial use.
Industrial waste	see WASTE MANAGEMENT	

Subject

Reference

Description and Notes

Joint planning area

P.A. 2

JUDGE'S PLAN

Registry Act 90
(Consumer & Commercial
Relations)

Where parts of lots or other designated areas shown by a registered plan have been conveyed or where other land has been conveyed by metes and bounds description or other manner without a plan of subdivision having been registered, the Director of Land Registration (normally acting at the request of a municipality) may apply to a judge of the proper County or District Court for an order to have the land laid out into lots. A draft plan is prepared from actual survey by a surveyor and in accordance with the records of the Registry Office, and upon giving notice to all interested persons and upon making any necessary amendments, the judge may order that the plan be registered as a "Judge's Plan". Any future dealings may not be registered unless they refer to this plan. In the interim, the Director of Land Registration may issue a "restraining order" whereupon no conveyance dealing with the land in the area may be registered until after the registration of the Judge's Plan.

Land Titles Act 162
and 171(2)
(Consumer & Commercial
Relations)

The Land Titles Act, R.S.O. 1970 Section 162 has not been used for some years - Boundary problems are now handled under the Boundaries Act.

JUNK YARDS

Municipal Act 354(1)117

All severances must be by plans under Land Titles.

Council may prohibit, regulate and inspect motor vehicle wrecking yards.

Municipal Act 378

Council may license and regulate salvage yards, junk dealers, car wreckers, etc.

Subject	Reference	Description and Notes
King's Highway	see HIGHWAY	

Subject

Reference

Description and Notes

LAKES AND RIVERS

Lakes & Rivers Improvement Act
(Natural Resources)

Much of this Act referred originally to the floating of timber. Since 1971, its purpose has been broadened and is described as being to provide for the use of waters of the lakes and rivers of Ontario and to regulate improvements in them, and to provide for:

- (a) the preservation and equitable exercise of public rights in or over such waters;
 - (b) the protection of the interests of the riparian owners;
 - (c) the use, management and perpetuation of the fish, wildlife and other natural resources dependent on such waters;
 - (d) the preservation of the natural amenities of such waters and on the shores and banks thereof; and
 - (e) ensuring the suitability of the location and nature of improvements in such waters, including their efficient and safe maintenance and operation and having regard to matters referred to in clauses a,b,c, and d, their operation in a reasonable manner.
- 2 The Cabinet may make regulations respecting the use of lakes and rivers and waters therein. The maximum fine is \$5,000.
- dams 10-25 No dam may be built without approval from the Minister, except in emergency. Various provisions relate to dam repairs, etc.
- aesthetics 34 The Minister may order the removal of any tree, refuse, substance or matter deposited in a lake or river in a manner as in his opinion impairs the natural beauty of the water body.
- pollution from a mill 36 The throwing of any refuse, sawdust, chemical, substance or matter from any mill into a lake or river, or on the shore or banks thereof, is prohibited. Provision is made for fines of not less than \$50 per day.
- water privilege 88 "Occupied water privilege" means a mill privilege, or water power, that has been or is in use for mechanical, manufacturing, milling or hydraulic purposes, or for the use of which for any such purposes the necessary works are bonafide in course of construction.

Land Assembly

see HOUSING - municipal projects; industrial sites

Land Compensation Board

see EXPROPRIATION -

Land Division Committee

P.A. 30

LANDFILL

Environmental Protection Act
Regulation 824 as amended

- 1.20 "Landfilling" means the disposal of waste by deposit, under controlled conditions, on land or on land covered by water, and includes compaction of the waste into a cell and covering the waste with cover materials at regular intervals.
- 1.8 "Dump" means a waste disposal site where waste is deposited without cover material being applied at regular intervals.

see also WASTE MANAGEMENT

Landscaping

P.A. 35a

LANDS IN TAX ARREARS

Municipal Affairs Act 47
(T.E.I.G.A.)

Where any part of taxes are unpaid, property may be taken over by the municipality after one year (for vacant land) or three years (for improved land).

LAND SPECULATION TAX

Land Speculation Tax Act
(Revenue)

- 2 A speculation tax has been imposed on land sales, at a rate of 20% of the taxable value. Taxable value is the difference between "adjusted value" and "proceeds of disposition". Adjusted value may be fair market value at acquisition, or some equivalent definition depending on the circumstances. A number of exemptions are cited: tourist resorts, commercial and industrial properties, principal recreational property not over 20 acres, lands taken under statutory authority, farms sold to a family member and municipal lands are among the properties that may be exempt.
- 21 The tax may be postponed when land is being sold for subdivision. It is then paid by the builder when the lots are sold.

Land use conditions

see PUBLIC LANDS - sale or lease

Subject	Reference	Description and Notes
LEASING OF LAND	Municipal Act 336(2) see also PUBLIC LANDS - sale or lease	Council may lease any land it has acquired.
Leasing of portion of highway	see HIGHWAY -	
Levies (lot levies)	see IMPOSTS	
Licence of occupation	see PUBLIC LANDS -; PROVINCIAL PARKS	
LITTER	Municipal Act 460(5) Municipal Act 354(1)70 Environmental Protection Act 63-68 and 3(a), 3(h)	Council may prohibit the throwing of paper, handbills, dirt, glass or other refuse on any road. Council may prohibit littering of private or public property. 3 No person may abandon any material likely to become litter. Provision is made for fines of up to \$100 for a first offense and \$1000 subsequently.
Livestock barns	see AGRICULTURAL POLLUTION	
Local architectural committee	see CONSERVATION (CULTURAL) - local architectural advisory committee	
Local board of health	see PUBLIC HEALTH -	
LOCAL IMPROVEMENTS	Local Improvement Act (T.E.I.G.A.)	2 Works that may be undertaken as local improvements include: street widening and improving, incl. sidewalks, boulevards, sodding, planting, etc.; bridges, sewers, watermains, extensions of gas, light, heat or power works, parks up to 2 acres, shore protection works and retaining walls. 64 Ordinary maintenance is not included but street cleaning, snow clearing, grass cutting, etc. may be charged on a frontage basis. 67 A township or village may also construct waterworks, sewerage works and street lighting works. 6 For works over \$50,000 O.M.B. approval is required if someone objects to the work. Costs may be borne by the entire municipality or by a section thereof or may be shared between the municipality and/or a section thereof, and the lots abutting the work. 7 Local improvements may be undertaken on petition, on council initiative ("the initiative plan") or on the recommendation of the Minister of Health. Alternatively, council may proceed without petition, but with O.M.B. approval, for certain works. 12 Owners may petition against a council initiative. Majority opposition may kill a project for at least 2 years. 20 Except as otherwise provided, costs are assessed to abutting lots on a frontage basis. 21-52 Various procedures for distributing costs of local improvements are described. 70 Council may adopt the local improvement system by by-law and thereafter certain works may only be undertaken as local improvements.
	see also SIDEWALKS -	

Subject

Reference

Description and Notes

LOCAL ROADS BOARD

Local Roads Board Act
(Transportation and
Communications)

- 2 This Act applies only in territory without municipal organization.
- 7 Ten or more owners of land in an area may call a meeting to consider the establishment of a local roads area. The Minister may establish the area upon petition from such a meeting. Three trustees are elected.
- 10 The board may, subject to the Minister's approval, determine the work to be performed on local roads in a local roads area.
- 19 All land as defined in The Provincial Land Tax Act is liable to assessment and taxation for local roads purposes.
- 31-33 Local roads taxes are remitted to the Minister, who adds two dollars for every dollar received, plus an amount in respect of unoccupied Crown Land, and the Minister undertakes the work determined and approved under Section 10.
- 39 The Statute Labour Act ceases to apply to a local roads area.

Lodging houses

see PUBLIC HEALTH -

Low rental housing

see HOUSING -

Subject	Reference	Description and Notes
Maintenance and occupancy standards	P.A. 36	
MARINAS	Ontario Water Resources Act 62(o) Gasoline Handling Act 1(i) (Consumer & Commercial Relations)	The Minister may regulate marinas to control pollution. (Regulation 646) "Marina" means any premises at which gasoline or an associated product is sold and is put into the fuel tanks of motor boats and other craft or into portable containers.
Market value	see ASSESSMENT -	
Mausoleum	see CEMETERY	
MINING	Mining Act 1 (Natural Resources) Landlord & Tenant Act 191(c) (Attorney General) see also PUBLIC LANDS - mineral rights	The Act includes definitions of terms such as "mining rights", "surface rights", "mine", "refinery", "mining lands", and "minerals". A definition of "mining lease" is included. Note that Section 29(1a) of The Planning Act clarifies that no consent is required to separate mining rights from surface rights.
Minister's order	P.A. 32	
Mink farm	see FUR FARM	
MOBILE HOME		Most of the existing legislation affecting mobile homes still refers to them as trailers. The term trailer should no longer be used to describe factory built dwellings designed for permanent occupancy. It should be noted that Section 36 of The Planning Act re maintenance and occupancy standards includes a mobile home in the definition of "property".
	Highway Traffic Act 1(1)15b see also TRAILERS; TOURIST AND TRAILER CAMPS; P.A. 36(1)(e)	"Mobile home" means a vehicle, other than a motor vehicle, that is designed and used as a residence or working accommodation unit and exceeds 102 inches in width or 35 feet in length.
Mortgages	see HOUSING - and HOUSING - Rural housing mortgages	
Motel	see TOURIST AND TRAILER CAMPS	
MOTORIZED SNOW VEHICLE	Motorized Snow Vehicles Act	Council may prohibit the driving of motorized snow vehicles along or across any highway. (A snow vehicle is excluded from the definition of a motor vehicle).
MOTOR VEHICLE	Highway Traffic Act 1(1)17	"Motor vehicle" includes an automobile, motorcycle, and any other vehicle propelled or driven otherwise than by muscular power; but does not include the cars of electric or steam railways, or other motor vehicles running only upon rails, or a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry or road-building machine within the meaning of this Act.
MOTOR VEHICLE RACING	Municipal Act 354(1)60	Council may prohibit or regulate the racing of motor vehicles or motorcycles in any area of the municipality.
Multiple family dwelling	see HOUSING -	
MUNICIPAL BOARD	Ontario Municipal Board Act (T.E.I.G.A.)	33-34 The O.M.B. has the power of a court of record. It has authority to determine questions of law or fact. 53 The Board is charged with the approval of money or debenture by-laws, and approves any by-laws as required by law or which a municipality voluntarily applies for. It may enquire into the financial affairs of municipalities, supervise expenditures, hear and determine disputes between municipalities and settle sewer and water rates between them.

(Cont'd)

Subject	Reference	Description and Notes
MUNICIPAL BOARD (CONT'D)		<p>44 The Lt. Gov. in Council may refer to the Board any matter relating to a municipality, railway or public utility subject to the Board's jurisdiction.</p> <p>42 The Board may re-hear any application before deciding it or may review, rescind or change any decision, approval or order made by it.</p> <p>94 The Lt. Gov. in Council may confirm, vary or rescind an O.M.B. decision and may order a re-hearing.</p> <p>95 Leave may be sought from a Court of Appeal to appeal an O.M.B. decision on a question of law or jurisdiction. The court certifies its opinion to the Board and the Board must issue an order accordingly.</p>
- appeal		
MUNICIPAL LOANS	Municipal Works Assistance Act (T.E.I.G.A.)	<p>This Act empowers the Minister to make and forgive loans to municipalities and to make arrangements to borrow money from the Municipal Development and Loan Board, as contemplated in the Municipal Development and Loan Act (Canada). Eligible municipal projects include school board capital works.</p>

Subject	Reference	Description and Notes
NAVIGABLE WATERWAYS	Beds of Navigable Waters Act 1 (Natural Resources)	The bed of any navigable waterway is Crown land. Beaches are not necessarily crown land, depending on the patents. The province controls the bed, the federal government controls the surface.
	Navigable Waterways Protection Act (Fed.)	4 No work may be built in, upon, over, under, through or across any navigable water unless the plans have been approved by the Minister of Public Works. This does not apply to works of less than \$5000 and which do not interfere substantially with navigation.
		18 No stones, gravel, rubbish, etc. may be thrown into navigable tidal waters unless there is a depth of at least 12 fathoms (8 fathoms for non-tidal waters).
Neighbourhood improvement	see HOUSING -	
NEW COMMUNITIES	National Housing Act, Part VI.I	45.1 C.M.H.C. may participate with a provincial agency in the planning and development of new communities. The province must indicate its plans for urban growth. The agreement must stipulate the measures to be taken to ensure that the public will receive any economic benefits that may be obtained from the lands and services.
		45.2 Loans may be made to the provincial agency for the development of the new community, and up to 50% of the loan may be forgiven.
NIAGARA ESCARPMENT	Niagara Escarpment Planning and Development Act (T.E.I.G.A.)	2 The purpose of this Act is to preserve the escarpment substantially as a continuous natural environment.
		3 The Minister may define the Niagara Escarpment Planning Area and may direct that a plan be prepared suitable for approval as the Niagara Escarpment Plan.
		4 The Minister is required to establish at least two advisory committees representing the municipalities and the people of the planning area.
		5 Cabinet appoints the Niagara Escarpment Commission composed of seventeen members.
		8 The objectives to be sought in the preparation of the Plan are described;
		9,10 Also, the contents of the Plan and the process of its preparation.
		The Plan is to be submitted to Cabinet for approval.
		12 Amendments may be initiated by the Minister or the Commission and are submitted to Cabinet for approval.
		13 No Ministry may undertake any works in conflict with the Plan and all by-laws must conform to the Plan.
		14 The provisions of the Plan prevail over any local plan or zoning by-law.
		15 The Minister may receive proposals from local municipalities to resolve conflicts between the Plan and local plans or by-laws and he may order an Amendment to a local plan.
		16 The Minister may direct a local municipality to prepare and adopt a plan or zoning by-law conforming to the Niagara Escarpment Plan.
		17 The Plan must be reviewed not later than five years after coming into effect, and subsequently at five-year intervals.
		18 The Minister may expropriate land to develop the Plan.
		19,20 The Minister may make grants to assist in implementing the Plan.
		21 The functions of the Commission may be transferred to a region or county council, when the Plan has been substantially completed.
- development control		22 The Minister may designate any area as being under development control and may regulate the issuance of development permits.

(Cont'd)

Subject

Reference

Description and Notes

NIAGARA ESCARPMENT
(CONT'D)

23 No development may occur and no building permit may be issued without prior receipt of a development permit. (Maximum fine: \$10,000) Development in contravention of the Act may be demolished.

24 The issuance of development permits may be delegated to the Commission or some other body.

- fixed assessment

28 Agreements may be made for fixed assessments on lands whereupon assessments would otherwise be increased due to a Plan designation. The Minister may reimburse the municipality where agreements for fixed assessments have been concluded.

NOISE

Municipal Act 354(1)118

Council may prohibit the making of noises likely to disturb the inhabitants in any defined area.

Environmental Protection Act

1(c) A contaminant is defined to include noise.

(14) Regulations and a model by-law are being drafted at the time of writing.

Noxious manufactures

see INDUSTRIAL NUISANCES

NUISANCE

Public Health Act

28 Where information is given in writing to a local board of health by a resident householder of the existence of a nuisance or unsanitary condition, the local board must forthwith investigate the complaint and take all necessary steps to abate it.

35 If the local board doesn't act expeditiously, the Minister may step in and charge the municipality.

85-96 Any condition that may become injurious to health may be deemed a nuisance. Among other matters, this may include refuse accumulation, water supply pollution, industrial location, dwelling overcrowding, air pollution, etc.

see also PUBLIC HEALTH,
INDUSTRIAL NUISANCES

NURSING HOME

Homes for Special Care Act
(Health)

1(a) "Home for special care" means a home for the care of persons requiring nursing, residential or sheltered care.

4 All such homes are either established by Cabinet or licensed by the Minister.

Nursing Home Act
(Health)

1(f) "Nursing Home" means any premises maintained and operated for persons requiring nursing care.

3 No person may establish or use the term "a licensed nursing home" unless it is licensed under this Act.

Subject	Reference	Description and Notes
OBSTRUCTION OF VIEW AT INTERSECTIONS AND ALONG ROADS	Municipal Act 451	Council may enter into agreements for the removal of trees, shrubs, fences, signboards, etc., obstructing visibility at an intersection. If no agreement is obtained, an order may be sought from a county court judge.
	Public Transportation & Highway Improvement Act	27(7) Subject to appropriate compensation, the Minister may require the removal of any obstruction which might impair the safety or convenience of travellers on a King's Highway.
		99 A county or township may fix the distance from centre-line within which no tree, building, sign or other obstruction may be allowed which might cause snow to accumulate or might obstruct vision.
	see also HIGHWAY - King's Highway	
Occupied water privilege	see LAKES AND RIVERS -	
Offensive trades	see INDUSTRIAL NUISANCES	
OFFICIAL COMMUNITY PLAN	National Housing Act 2 (M.S.U.A.)	"Official community plan" means a master plan of community development and land utilization prepared by a local planning authority and legally adopted by or on behalf of a municipality.
Official plan	P.A. 2,5,12-17	
Old people	elderly persons	
One-family dwelling	see HOUSING -	
ONTARIO CO-ORDINATE SYSTEM	Surveys Act O/Reg 809 (Natural Resources)	The Ontario Co-ordinate System is a system of co-ordinate surveys made for the purpose of establishing the location of points on the surface of the earth by geographic or grid co-ordinates. The system is a universal transverse Mercator projection modified to a 3 degree zone of the Clarke spheroid of 1866.
ONTARIO LAND CORPORATION	Ontario Land Corporation Act (T.E.I.G.A.)	13 The objects of the Corporation are to assist in the promotion of community and industrial development of land in Ontario by the acquisition of land and the disposal of it to persons in the private and government sectors for residential, community, industrial, governmental and commercial development and, without limiting the generality thereof, in the carrying out of those objects the Corporation has power to: <ul style="list-style-type: none"> (a) purchase, lease, take in exchange or otherwise acquire lands or interest therein, together with any building or structures on the lands; (b) sell, lease, exchange, mortgage or otherwise dispose of the whole or any portion of the lands and all or any of the buildings or structures that are then or may after be erected upon the lands and to take such payment or security therefor as may be necessary or desirable; (c) lend and invest money on security of real estate and to sell, mortgage, or otherwise dispose of mortgages; (d) subscribe for, purchase, invest in, sell, assign or otherwise deal in shares, stocks, bonds, debentures, notes and other securities of any government or municipal corporation, or of any corporation whose objects include the buying and selling of land; and (e) do anything that, in the opinion of the Board, can be done advantageously by the Corporation in connection with or ancillary to the carrying out of the objects of the Corporation set out in clauses a, b, c, and d.

(Cont'd)

Subject	Reference	Description and Notes
ONTARIO LAND CORPORATION (CONT'D)		15 The Corporation has power of expropriation.
Ontario Municipal Board	See MUNICIPAL BOARD	
OUTDOOR FESTIVAL	Public Health Act 6a	"Outdoor festival" means a festival for the assembly of more than 2,000 people out of doors for at least 24 hours for musical or theatrical entertainment. The Minister may, with Cabinet approval, make regulations for health and safety standards, for bonding of the promoters, etc. Provision is made for fines up to \$10,000.
Outhouses	see GARAGE; PUBLIC HEALTH	
Overcrowding	see PUBLIC HEALTH -	

Subject	Reference	Description and Notes
PARCEL	Boundaries Act 1(h) (Consumer & Commercial Relations)	"Parcel" means a lot, block easement, right of way, or other area into which land is divided.
PARKS - area rate	Municipal Act 352(68-71) Public Parks Act (T.E.I.G.A.) see also P.A. 33(5) & (8)-(11); P.A. 35b; PROVINCIAL PARK and RECREATION	Council may acquire land for park purposes. The cost may be area rated. 3 Parks established under this Act must be managed by "The Board of Park Management", which may acquire land, etc.
Parking areas	see SITE CONTROL; SITE PLANNING; P.A. 35(29)-(32)	
PARKING LOTS - area rate	Municipal Act 352	(72) Council may establish a public parking lot and may, with O.M.B. approval, levy the cost on a defined area. (73) A parking authority may be established for the operation of parking facilities within the municipality.
	see also P.A. 35(29)-(32)	
PARKWAY BELT - fixed assessment - zoning orders	Parkway Belt Planning & Development Act (T.E.I.G.A.)	1 The Minister may define a Parkway Belt Planning Area and direct that a Parkway Belt Plan be prepared. 2 The Parkway Belt Plan is a development plan within the meaning of the Ontario Planning and Development Act. 5 An agreement may be made for fixed assessment if an existing land use differs from the Parkway Belt Plan or local plan designation and the assessment would otherwise be increased as a result of the designation. The Minister may reimburse the municipality for the reduced assessment. 6 The Minister may make land use regulations within the Parkway Belt Planning Area (Zoning orders). Such regulations need not conform to a local official plan.
Part lot control	P.A. 29	
PEDESTRIAN MALL	Municipal Act 354(110)	Council may establish a pedestrian mall, with the approval of the Minister of Transport. Any class of vehicle may be excluded at any specified time.
Pedestrian overpass) Pedestrian underpass)	see HIGHWAY - use of space over or under a highway	
Penalties	see ENFORCEMENT OF BY-LAWS	
PERCHED POND	Pits and Quarries Control Act Regulation 545/71 (Natural Resources)	"Perched pond" means a pond resulting from a pit or quarry or wayside pit or quarry excavation which is above the natural water table and is in excess of 18 inches in depth and covers minimum area of 10,000 sq. ft.
PIPELINE	Ontario Energy Board Act 38-41 (Energy)	No transmission line for natural gas may be constructed without an order from the Energy Board. Provision is made for notice, objection procedures, hearing and expropriation.
PITS AND QUARRIES	Pits and Quarries Control Act (Mines & Northern Affairs)	1 Pits, quarries and wayside pits are defined. (The latter are temporary pits for road projects). 2 The Act applies only to the areas designated by Cabinet regulation. 4 No pit or quarry may be established without a licence from the Minister. Applications must include a site plan, including land use within 500 feet of the boundaries of the lands to be set aside for the pit or quarry. Operations must conform to the site plan. 5 If anyone objects to an application, the matter must be referred to the O.M.B.

(Cont'd)

Subject

Reference

Description and Notes

PITS AND QUARRIES
(CONT'D)

6 The Minister may refuse to issue a licence if it is against the public interest, in his opinion. No licence may be issued if the location contravenes an official plan or location by-law. Where there is no official plan or by-law regulating pit and quarry location, council must be notified and if they object within 45 days, the Minister shall not issue the licence.

7 A licence must be reviewed at least annually and may be revoked.

11 Every licensee must submit a deposit as required by the regulations and may forfeit that deposit if rehabilitation is not adequately carried out.

12 Wayside pits require a permit.

15 The Minister may enforce compliance with the Act by applying for a restraining order.

17 This Act prevails over a municipal by-law.

- restraining order

Planning area

P.A. 2

Planning Board

P.A. (3-5), (8-12)

Plan of subdivision

see SUBDIVISION PLAN

PLUMBING

Ontario Water
Resources Act
(Environment)

62(1)(f,g,h)

The Minister may regulate plumbing (Regulation 158/73).

63 Plumbing inspections may be undertaken by local municipalities, counties or boards of health.

66 No municipal by-law regulating plumbing has any effect.

Council may charge a fee for plumbing inspections.

Municipal Act 354(1)75

Police costs

see AREA RATE - police

POLICE VILLAGE

Municipal Act 471-500

Various provisions describing the powers of the trustees of a police village. They may be concerned with sidewalks, culverts, roads, public utilities, fire protection, parks and certain other matters described in Section 487.

Pollution

see PUBLIC HEALTH, WATER
QUALITY, AIR POLLUTION,
AGRICULTURAL POLLUTION,
LAKES AND RIVERS

POLLUTION ABATEMENT

Pollution Abatement
Incentives Act
(Environment)

This Act provides for grants to municipalities, industries, schools, hospitals, etc. and individuals for pollution abatement equipment.

see also CONTROL ORDER

Preservation of
historic buildings

see CONSERVATION
(CULTURAL)

PRIVATE HOSPITAL

Private Hospitals
Act 1(i)

"Private hospital" means a house in which four or more patient are or may be admitted for treatment, other than:

- (i) a hospital or other establishment or institution supported in whole or in part by provincial aid,
- (ii) an institution in respect of which a licence under The Private Sanitaria Act is in force,
- (iii) an institution for the reclamation and cure of habitual drunkards established under The Municipal Act,
- (iv) a house registered under The Maternity Boarding Houses Act,
- (v) a lodging house licensed under a municipal by-law.

Private school

see SCHOOLS - private

Property exempt from
taxation

see ASSESSMENT -

(Cont'd)

Subject	Reference	Description and Notes
Property standards committee	P.A. 36(11)	
PROVINCIAL PARK	Provincial Parks Act (Natural Resources)	
- classification		5 Cabinet may classify provincial parks as natural environmental, nature reserve, primitive, recreational, wild river or some other class of park.
- zoning		7(2) The Minister may designate zones such as: historic zone, multiple use zone, natural zone, primitive zone, recreational zone, etc.
- access road		8 The Minister may enter into agreement with a municipality and subsidize the construction and maintenance of a road leading to a provincial park. Approval is required from the Cabinet. Similar arrangements may be made in unorganized territory.
- use of land		19 Cabinet may make regulations controlling the use or occupation of land, erection of buildings, structures and signs, etc.
- licence of occupation		18 A licence of occupation may be issued under the regulations to permit mining in a provincial park.
Public garage	see GARAGE	
PUBLIC HALL	Public Halls Act 1 (Attorney General)	"Public hall" means a building, including a portable building or tent with a seating capacity for over 100 persons that is offered for use or used as a place of public assembly, but does not include a theatre within the meaning of The Theatres Act or a building, except a tent, used solely for religious purposes.
PUBLIC HEALTH	Public Health Act	4 The duties and responsibilities of the Ministry include to determine whether the existing condition of any premises or the method of manufacture or business process, or the disposal of sewage or other waste or garbage is a nuisance or injurious to health -- and to enter upon any premises and make such orders and give such directions with regard to the structural alterations of the premises or with respect to any other matter as the Ministry deems advisable in the interests of public health.
- nuisances		6 The Minister may, with Cabinet approval, make regulations for: <ul style="list-style-type: none"> - the removal of nuisances and unsanitary conditions, - directing the alteration or destruction of any building unfit for human habitation, - preventing overcrowding by limiting the number of dwellers on premises, - the sanitary precautions to be taken in health resorts, summer resorts and on boats plying upon inland waters, and for preventing pollution of such waters, - defining, regulating and licensing summer camps, summer resorts and agricultural camps but not including premises commonly known as tourist camps, boarding houses or lodging houses, - prescribing standards for the location, construction, alteration, repair and equipment of premises to be used as dwellings, - defining public swimming pools and regulating or prohibiting their construction, alteration, repair, location, maintenance and use, (see also Section 126 for by-laws regulating public swimming pools) - governing, regulating and restricting the storage, collection and disposal of garbage and refuse in private premises and households.
- overcrowding		
- resorts		
- boats		
- water pollution		
- camps		
- building standards		8 The above regulations prevail over any local by-law.
- swimming pools (public)		13 Every municipality in Ontario must have a local board of health unless it is in a "health unit".
- garbage and refuse (Private)		36 One or more counties, or a group of municipalities may establish a health unit. Provincial assistance may be provided.
- local board of health		87 A medical officer of health or an inspector may enter any premises at all reasonable times and may order that the premises be closed if necessary for health reasons. Provision is made for appeal.
- health unit		
- entry on private property		

(Cont'd)

Subject

Reference

Description and Notes

PUBLIC HEALTH (CONT'D)

- lodging houses 101 A medical officer of health or an inspector may enter into a lodging house where he has reason to suspect overcrowding which is deemed unhealthy.
- waterworks, sewerage 105 Where the Ministry reports in writing that water or sewerage works are necessary in the interest of public health, the municipality must forthwith pass all necessary by-laws and undertake the required works without unnecessary delay.
- public slaughter-houses 112 The council of a city or town may by by-law establish a public slaughterhouse or abattoir.
- unorganized territory 128-129 The Minister may make regulations respecting industry to prevent nuisances and may provide for the inspection of houses and premises in unorganized territory.

Schedule B This is a by-law in force in every municipality until altered by council. It deals with location of slaughter-houses, removal of garbage, provision of toilets in restaurants, keeping of swine etc. The clause providing for fines was deleted in 1974.

PUBLIC HOSPITAL

Public Hospitals Act

- 1(f) "Hospital" means any institution, building or other premises or place established for the treatment of persons afflicted with or suffering from sickness, disease or injury, or for the treatment of convalescent or chronically ill persons that is approved under this Act as a public hospital.

Public housing

see HOUSING -

PUBLIC LANDS

Public Lands Act
(Natural Resources)

- public reserves 3 Where at least 25% of the frontage on a water body is public, at least 25% of that frontage will be retained for access and recreation. Where less than 25% remains, it will all be retained.
- zones 16 The Minister may establish zones such as "Open", "Deferred", "Closed", etc. and may regulate and administer the use of public lands accordingly. The Minister may designate areas wherein no resort development may occur except by registered plan of subdivision.
- restricted area 17 In areas without municipal organization the Minister may designate a "restricted area", which gives him control over building permits and land improvements "on such terms and conditions as he considers proper".
- sale or lease 19-22 Cabinet may make regulations prohibiting or controlling the sale or lease of public lands for other than agricultural purposes. The letters patent may include conditions re the use of the land. Violation of the conditions may result in forfeiture of the land. Upon cancellation of a sale or lease all buildings become Crown property. (See also O. Reg. 246/71 re sale and lease)
- licence of occupation 23 A licence issued by the Minister to permit mining exploration on public lands. Subject to the conditions attached to it, the licence carries similar rights as letters patent.
- dumping of fill 29 Any person who deposits any material on public land or water is liable to a fine of \$500.
- Crown grants 40 Means a grant of a freehold or leasehold interest in unpatented public lands.
- public agricultural lands committee 48 Appointed by the Minister, this committee recommends suitable areas for sale or other disposition as agricultural land and measures for their development.
- forest roads 50-57 This deals with private and public forest roads. (Definitions etc.)
- trees 59-60 Trees on land disposed of for agricultural purposes remain Crown property until the letters patent are issued.
- mineral rights 62-64 In letters patent issued after 1957 the mineral rights are reserved to the Crown.

(Cont'd)

Subject	Reference	Description and Notes
PUBLIC LANDS (CONT'D)		
- cottage lot condition		70 Where lands have been granted subject to the condition that a cottage be constructed within 18 months, such condition is void.
- subdivision		72 Where public lands have been disposed of and the owner subdivides the land within five years of the issue of letters patent, one quarter in acreage of the lots is vested in the Crown.
- dams		74 The Minister may construct dams and other water control works, expropriate land, etc.
- summer resort locations	Ontario Regulation	246/71 "Cottage" means a building in which facilities are provided for cooking and for shelter for one or more persons living therein as a single and non-profit housekeeping unit. There is no restriction by definition or regulation to differentiate between permanent and seasonal occupancy of a summer resort location. The standard form of lease requires compliance with zoning by-laws and limits the use to a single non-profit housekeeping unit of one cottage and accessory buildings.
Public reserves	see PUBLIC LANDS -	
Public schools	see SCHOOLS -	
PUBLIC TRANSPORTATION	Municipal Act	354(1)89-90 Council may operate a public bus transportation system and may levy a special rate in a defined area to cover any operating deficit.
- area rate		460.9 Council may designate any lane on any road over which the municipality has jurisdiction as a lane solely or principally for use by public transit motor vehicles.
	Public Transportation & Highway Improvement Act	87-87c Various provisions relating to provincial and municipal subsidies.
	Highway Traffic Act 128a	Council may prohibit commercial motor vehicles other than buses in the left lane of a highway having 3 or more lanes in each direction and a maximum speed of 50 m.p.h. or more.
	see also RAPID TRANSIT; COMMUTER SERVICES	
PUBLIC UTILITIES	Municipal Affairs Act 1(g)	"Public utility" means a waterworks, gasworks, including works for the transmission, distribution, and supply of natural gas, electrical power or energy works, or system for the generation transmission or distribution of electric light, heat or power, a telephone system, a street or other railway system, a bus or other public transportation system or any other works or system for supplying the inhabitants generally with necessities or conveniences that are vested in or owned, controlled or operated by a municipality or municipalities or by a local board.
	Ontario Municipal Board Act 1(d) (T.E.I.G.A.)	"Public utility" means a waterworks, gasworks, including works for the production, transmission, distribution and supply of natural gas, electric heat, light and power works, and telegraph lines, or any works supplying the general public with necessities or conveniences.
- water supply	Public utilities Act (T.E.I.G.A.)	2,4 A municipality may operate waterworks, build reservoirs, divert water bodies to protect the water supply, etc., and may assess the cost of water supply on rateable property in a defined area.
- area rate		6,7 Service pipes from the street line to a building are the property owner's financial responsibility, but under municipal control.
		11,25 A municipality may supply water and other utilities beyond its boundaries.
- area rate		14 A special rate may be levied for waterworks debentures on land not more than 300 feet from a water pipe.
- gas, electricity, etc. and sewerage		17,40(6) A municipality may also operate works for gas, electricity, steam or hot water, and sewerage.
		23 Passages common to neighbouring owners may be broken up to lay or repair pipes, provided they are restored.
		35 Profits from a municipal utility other than hydro must be turned over to general revenue.

Subject	Reference	Description and Notes
PUBLIC UTILITIES (CONT'D)		38-48 Control of public utilities may be entrusted to a Public Utilities Commission.
		55 Where there is sufficient supply, no building along a supply line may be denied the supply.
		56 O.M.B. approval may be required to lay main pipes closer than 6 ft. to any existing main.
- transportation and telephones		64 The operation of a bus, railway, street car or telephone system may be entrusted to a Public Service Commission or to an existing Public Utilities Commission.
- area rate	Municipal Act 294(2); 354(1)53(f) and 354 (2) and (3)	Council may levy a special annual rate in an area to defray the cost of a public utility provided in that area.
	see also AREA RATE	
PUBLIC VEHICLE	Public Vehicles Act 1(g)	"Public vehicle" means a motor vehicle operated on a highway by, for or on behalf of any person for the transportation for compensation of passengers, or passengers and express freight that might be carried in a passenger vehicle, but does not include the cars of electric or steam railways running only upon rails, taxicabs, nor motor vehicles operated solely within the corporate limits of the urban municipality.
PUBLIC WORKS	Ministry of Government Services Act	This Act provides for provincial public works.
		12 The Minister or his agents may enter upon any land or use any stream, cut any trees, carry away any earth, divert any pipe or wire, etc., without the owner's consent, for any purpose relative to the use, construction, maintenance or repair of a public work.

Subject	Reference	Description and Notes
<p>Quarry</p> <p>QUIETING ORDER</p>	<p>see PITS AND QUARRIES</p> <p>Municipal Corporations Quieting Orders Act (T.E.I.G.A.)</p>	<p>A quieting order is an order by the O.M.B. establishing the legal existence or corporate status of a municipality, or establishing its proper area and boundaries in order to quiet doubts affecting them.</p>

Subject

Reference

Description and Notes

RAILWAY RELOCATION

Railway Relocation and Crossing Act (Fed.) (M.S.U.A., Transport and C.T.C.)

The Canadian Transport Commission has authority to order re-routing or relocation of railway lines in urban areas
Part 1 Federal financial assistance is available of up to 50% of the cost of the studies and the net relocation costs.

Three plans must be submitted:

- an Urban Development Plan
- a Transportation Plan
- a Financial Plan

These plans must have prior provincial approval.

Parts II,III Parts II and III deal with grade separations and railway crossings. Among the defined terms are the following: "transportation plan", "urban area", "urban development plan", "land use plan".

RAPID TRANSIT

Public Transportation & Highway Improvement Act

87 Various provisions relating to provincial subsidies, etc.

RECREATION

Municipal Act 352.74

Council may acquire, build, operate and manage parks, recreational areas, community centres, art galleries and other places of recreation or amusement. Money may be borrowed and the cost may be levied on any defined area of the municipality.

see also SCHOOLS -;
ELDERLY PERSONS CENTRE;
COMMUNITY CENTRE

Redevelopment

see HOUSING; P.A. (22-28)

REFERENCE PLAN

Land Titles Act
Registry Act 78(a) and Reg. 780(7)
(Consumer and Commercial Relations)

167 A "reference plan" is a plan of survey prepared by an O.L.S. and deposited or recorded in the proper land registry office. A Reference Plan is not a registered plan of subdivision but provides a graphic description of land by designating units of land as "PARTS". These plans do not create new geographic units or designations but make it possible to replace a conventional metes and bounds description by referring to the Parts on the plan.

Refuse accumulation

see PUBLIC HEALTH - garbage and refuse

Refuse disposal

see WASTE MANAGEMENT

REGIONAL MUNICIPALITIES

Regional Municipality of.. Act, District Municipality of Muskoka Act, Municipality of Metropolitan Toronto Act.

Each Region has its own specific enabling provincial Act. They include Durham, Haldimand-Norfolk, Halton, Hamilton-Wentworth, Niagara, Ottawa-Carleton, Peel, Sudbury, Waterloo and York. Also Muskoka and Toronto. The distribution of planning responsibility between the regional and local level differs between regions.

REGISTERED PLAN

Land Titles Act 161, 171(1) and 172(1)
(Consumer & Commercial Relations)

Where land is being subdivided for the purpose of being sold or conveyed in lots, the subdivider must register a plan certified by an O.L.S. in the Land Titles or Registry Office. No such plan to which The Planning Act applies may be registered unless approved under the Act. No plan, though registered, is binding unless a sale has been made according to the plan.

REGISTRAR'S COMPILED PLAN

Registry Act 81
(Consumer & Commercial Relations)

The Registrar's Compiled Plan is a bookkeeping tool of the Land Registration System, to facilitate the breaking down of the Abstract Index, in those areas where searching has become costly and time consuming. These plans are prepared largely without benefit of survey, from Registry Office records. Each property in a given area is assigned a compiled plan lot number and the Registrar's Compiled Plan then becomes the visual graphic index for the new Abstract Indexes opened up under these lot numbers.

Rental housing

see HOUSING -

Reserved bus lanes

see PUBLIC TRANSPORTATION

Reservoirs

see CONSERVATION;
DRAINAGE; PUBLIC UTILITIES

Resort Subdivision road rate

see HIGHWAY - Township road

Resource road

see HIGHWAY -

Restraining order

see JUDGE'S PLAN;
SUBDIVISION PLAN AREA;
PITS AND QUARRIES -

Subject	Reference	Description and Notes
Restricted area	see PUBLIC LANDS -	
Restricted area by-law	P.A. 35; see also INDEX OF MUNICIPAL BY-LAWS	
ROAD ALLOWANCE AROUND A LAKE	Municipal Act 443(3)	No such original road allowance may be closed or diverted without the Minister's approval.
ROAD CLOSING	Surveys Act 57 (Natural Resources)	A closed road allowance belongs to the owners of the land abutting thereon.
	Public Transportation and Highway Improvement Act 22(2)	A municipality may not open, close or divert a road touching a King's Highway without the consent of the Minister.
Road-leasing of untravalled portion	see HIGHWAY - leasing, etc.	
Roads on public lands	see PUBLIC LANDS	
ROAD REPAIR	Public Transportation and Highway Improvement Act 95	The Minister may repair a local road and charge the municipality if the municipality has let the road fall into disrepair.
ROAD WIDENING	Public Transportation and Highway Improvement Act 100	Agreements may be made by a municipality (other than a city or separated town) for the widening of a highway or county road.
	see also SET-BACKS; LOCAL IMPROVEMENTS; HIGHWAY	
ROAD WIDENING (DEFERRED)	Municipal Act 339	Council may provide for the laying out or widening of a street, but defer the work for between 3 and 10 years. The required land is vested in the corporation but the owner may retain temporary possession. Except as otherwise ordered by the O.M.B. compensation is not payable till the day of entry. The Expropriation Act does not apply.
ROAD WIDTH	Municipal Act 450	No road of less than 66 feet may be laid out without the Minister's approval. No road of more than 100 feet may be laid out, except in a city or town, without the Minister's approval.
Rock festival	see OUTDOOR FESTIVAL	
Rural housing mortgages	see HOUSING -	

Subject	Reference	Description and Notes
SAFETY ZONE	Municipal Act 354(1)111	Council may set aside safety zones near bus or street-stops and prohibit cars from driving over them while a pedestrian is in one or entering one.
Sale or lease of public land	see PUBLIC LANDS - sale or lease	
Salvage yards	see JUNK YARDS	
Sand and gravel	see PITS AND QUARRIES; BEACHES AND SHORES	
SANITARIUM	Private Sanitaria Act	1(g) "Sanitarium" means an institution for the care and treatment of mental and nervous illnesses that is licensed under The Private Sanitaria Act.
Sanitary landfill	see LANDFILL; WASTE MANAGEMENT	
School attendance	see SCHOOLS -	
School pupils from mobile homes	see TRAILERS; TRAILER CAMPS	
SCHOOLS	Education Act	
- private		1(1)40 "Private School" means an institution at which instruction is provided at any time between the hours of 9 a.m. and 4 p.m. on any school day for five or more pupils who are of or over compulsory school age in any of the subjects of the elementary or secondary school courses of study and that is not a school as defined in this section (i.e. not a public, separate or secondary school)
- site		1(1)53 "School Site" means land or interest therein or premises required by a board for a school, school playground, school garden, teacher's residence, caretaker's residence, gymnasium, offices, parking areas or for any other school purpose.
- attendance		20(2) A child is excused from attendance at school if transportation is not provided by a board for the child and there is no school that he has a right to attend situated within one mile from his residence if he is under seven years of age, or within two miles if he is under ten, or within three miles if he is ten or over. 36 If a child lives more than 2 miles from school and no bus transportation is provided closer than ¼ mile from home, he (she) may attend a school in an adjoining school section if it is closer.
- recreation		147(1)9 A school board may operate the school ground as a park playground and rink. 147(1)22 A school board may permit the school buildings and premises to be used for any educational or other lawful purpose.
- recreation in unorganized territory		147(1)42 Where a recreation committee has been appointed in unorganized territory, a school board may exercise the powers of a municipal council to levy rates and collect taxes for the purposes of the recreation committee.
- recreation, shared use		157 A school board may enter into agreements for shared use of facilities for cultural, athletic, educational, administrative or other community purpose, including community recreation centres.
- transportation		10(1)28 The Minister may make regulations governing the transportation of pupils. 163 A school board <u>may</u> provide transportation to and from school.
School sites	see SCHOOLS - site	
School transportation	see SCHOOLS - transportation	
Shared use of schools	see SCHOOLS - shared use	
Secondary highway	see HIGHWAY -	
Semi-detached dwelling	see HOUSING -	
Senior citizen	elderly person	

Subject	Reference	Description and Notes
Septic tanks	see SEWERAGE; also PUBLIC HEALTH -	
SERVICE STATIONS	Municipal Act 354(1)	<p>132 An "automobile service station" means a building or place where gasoline, oil, grease, anti-freeze, tires, tubes, tires accessories, electric light bulbs, sparkplugs and batteries for motor vehicles are stored or kept for sale, or where motor vehicles may be oiled, greased, or washed, or have the ignition adjusted, tires inflated or batteries charged, or where only minor or running repairs essential to the actual operation of motor vehicles are executed or performed.</p> <p>Council may regulate and prohibit service stations in defined areas but this power does not permit the location of a service station contrary to a zoning by-law.</p>
SET-BACKS	Municipal Act 340	<p>133 Council may also limit the number of service stations and of public garages.</p> <p>Council of a local municipality may establish a minimum building line set-back from a highway, as a preliminary step to widening the highway. Such a by-law requires O.M.B. approval. The required set-back may not exceed 20 feet, except that for the purpose of carrying out an official plan or of improving the appearance or utility of a highway, the O.M.B. may authorize greater set-backs.</p>
	see also HIGHWAY - King's Highway; OBSTRUCTION OF VIEW	
SEWERAGE	Environmental Protection Act	<p>56 "Sewage system" means a cess pool, septic tank system, leaching pit, privy, holding tank, etc. and also any works for the handling of hauled sewage.</p> <p>57 No building may be constructed, enlarged or altered if such action affects the operation of the sewage system unless a certificate of approval has first been issued by the Ministry of the Environment. Similarly, no sewage system may be installed or altered without a certificate.</p> <p>59a No person shall use a new sewage system without first obtaining a permit.</p> <p>60 An order may be issued against persons operating in contravention of the certificate or permit requirements. If ignored, the work may be undertaken and charged to the owner.</p> <p>61 No person may construct, clean, repair or empty a sewage system without a licence.</p> <p>61a A municipality may enter into agreements with the Minister providing for the issuance of certificates of approval, or of permits, or for the making of orders or the carrying out of inspections respecting sewage systems proposed with respect to applications for plans of subdivision or consents, or for the collection of fees for inspections.</p> <p>61b Applications for approval of plans of subdivision or consents are subject to a fee for each lot. The fee requirement is not applicable to lots of over 10 acres, or to active farms or to subdivisions to be served by a sewage works approved under Section 42 of The Ontario Water Resources Act.</p>
- certificate of approval	Municipal Act 354(1)	<p>71,72 Council may regulate sewage and drainage and may operate sewerage systems.</p> <p>129 It may prohibit and regulate the discharge of waste into sewers.</p>
- area rate	Municipal Act 362	<p>(1)-(16) Subject to O.M.B. approval, council may impose a sewer rate on occupants of land who may derive a benefit from sewage works to be constructed. The rate applies only to capital costs and no part of that capital cost may then be assessed under The Local Improvement Act. Lands deriving a deferred benefit may be included as well as those deriving immediate benefit.</p> <p>(17) Council may also establish a sewage service rate, notwithstanding the work may have been constructed under The Local Improvement Act.</p> <p>362a Owners of buildings may be required by by-law to connect their buildings with the sewage works.</p>

(Cont'd)

Subject

Reference

Description and Notes

SEWERAGE (CONT'D)

- public utility commission	Municipal Act 368(5)	The management of a sewerage system may be entrusted to a public utility commission.
	Ontario Water Resources Act (Environment)	42-51 No sewage works may be constructed or enlarged without a prior permit from the Ministry. Before a municipality extends a sewage works into an adjoining territory, the Minister will hold a public hearing. Application may be made to the O.M.B. for an order for needed road closing etc. Agreements may be made between the municipalities for the use of the sewage works. The O.M.B. may order an amendment to an O.P. or zoning by-law to permit the use of land for sewage works. Sewage works must always be maintained to the satisfaction of the Ministry.
- project		52 Municipalities may apply to have the Minister build and operate a sewage works as a project.
		61 A public sewage service area may be designated by the Ministry and conditions may be imposed in order to regulate, provide or require sewage service in the area
- boats		62 The Minister may make regulations relating to sewerage, etc. (see Regulation E.P.A. 229/74 and 419/74--pleasure boat sewage discharge).
		69,70 An industrial or commercial enterprise may be required by the Ministry to install necessary sewerage facilities and any discharge into sewage works may be prohibited or regulated.
- loans	National Housing Act Part VIII	50 C.M.H.C. may make loans to assist in the construction or expansion of a sewage treatment project. (Maximum 2/3 of the cost).
	see also LOCAL IMPROVEMENTS; PUBLIC UTILITIES; PUBLIC HEALTH	
Shopping area - beautification	see IMPROVEMENT AREAS FOR...	
SIDEWALKS	Public Transportation & Highway Improvement Act	97 A local municipality may construct sidewalks and other improvements with the written consent of the authority having jurisdiction over the road. The cost may be borne out of general funds or by local improvement or be paid by the authority having jurisdiction.
- local improvement		
	see also HIGHWAY - county road	
SIGNS	Municipal Act	354(1) Council may prohibit or regulate signs and may require that non-complying signs be removed within five years 126-126c, from the coming into force of the by-law. The defacing 128 or removal of lawful signs may also be prohibited. (Check also regional Acts for this sign control authority).
		453(3) Council may permit signs to project over the sidewalk.
	Public Transportation & Highway Improvement Act 31,35	The Minister has authority to control signing on proper within 1/4 mile of a provincial highway. (See booklet of "Directions regarding Buildings, Structures, Signs and Land Use", and also "Guide Signs for Resorts and Cottages M.T.C. 1973).
	see also TOURIST ESTABLISHMENTS; HIGHWAYS - gas pumps; signs; OBSTRUCTION OF VIEW	
Site control	P.A. 35A	
Site plan agreement	see AGREEMENTS; P.A. 35a	
SITE PLANNING	Central Mortgage & Housing Corporation	The C.M.H.C. site planning handbook contains requirements applied in the review of applications submitted under the National Housing Act, as well as recommended standards designed to contribute to good project design. It includes standards relating to such matters as housing location relative to other uses, amenity areas and privacy zones for multiple housing, planting and public open space, parking area design, etc.

Subject	Reference	Description and Notes
Skidoos	see MOTORIZED SNOW VEHICLES	
SLAUGHTERHOUSES	Municipal Act 354(1)85	Council may prohibit or regulate and inspect slaughter-houses.
	see also PUBLIC HEALTH - SCHEDULE B	
Solid waste	see LANDFILL	
Stables	see GARAGES	
STATUTE LABOUR	Statute Labour Act 3,4 (Transportation & Communications and T.E.I.G.A.)	Applies in every township that has not passed a by-law abolishing statute labour. Every person on the assessment roll is liable to days of statute labour in proportion to his assessment. It may be commuted at not more than \$3 per day. In unincorporated areas, road commissioners may be elected for statute labour purposes and to open roads.
Stock-car racing	see MOTOR VEHICLE RACING	
Stop order	see CONTROL ORDER	
Street	see LOCAL IMPROVEMENT ACT	
Street lighting	see HYDRO-ELECTRIC POWER; LOCAL IMPROVEMENTS	
STRENGTHENING EXISTING BUILDINGS	Municipal Act 363(2)	Urban councils may pass by-laws requiring structural changes in buildings being used for purposes for which they are deemed unsuited by an architect or other officer named in the by-law. The use of such buildings may be prohibited until a permit has been obtained.
Student housing	see HOUSING	
Subdivision agreement	P.A. 33(5)(d) and 33(6)	
Subdivision control	P.A. 29	
SUBDIVISION PLAN	Surveys Act (53) (Natural Resources)	In this Act, a "plan of subdivision" means a plan of subdivision that is registered under The Land Titles Act or under The Registry Act.
	see also P.A. 33; PUBLIC LANDS - subdivision	
SUBDIVISION PLAN AREA	Registry Act 91 (Consumer and Commercial Relations)	The Director of Land Registration may issue a "Restraining Order" designating any area of land as a "subdivision plan area" and thereupon no land may be conveyed except in compliance with subsection 2 of Section 29 of The Planning Act.
- restraining order	Land Titles Act 162	A similar provision to the above appears in The Land Titles Act but it calls for the preparation of a Judge's Plan. The section has not been used for some years, however. Problems with inadequate boundary descriptions are now handled under The Boundaries Act.
	see also JUDGE'S PLAN	
SUBDIVISION ROAD SUBSIDY	Public Transportation & Highway Improvement Act 72,80	In a new subdivision only those roads recognized as main traffic arteries are eligible for provincial subsidy.
Subsidiary planning area	P.A. 2(4)	
Suburban road	see HIGHWAY -	
Suburban subdivision road rate	see HIGHWAY - township road	

Subject

Reference

Description and Notes

SWIMMING POOLS

- fences

Municipal Act 354(1)24

Council may pass a by-law to require fencing of private outdoor swimming pools.

- zoning

Planning Act 35

A pool is a structure and is regulated as such in several municipal zoning by-laws.

- public pools

Public Health Act 6

The Minister may make regulations regarding location, maintenance, use, etc.

Subject	Reference	Description and Notes
Tannery	see INDUSTRIAL NUISANCE	
Tax arrears	see LANDS IN TAX ARREARS	
Termites	see BUILDING BY-LAWS	
Tertiary road	see HIGHWAY -	
TOURIST ESTABLISHMENTS	Tourism Act (Industry and Tourism)	<p>1 "Tourist establishment" means any premises operated to provide sleeping accommodation for the travelling public or sleeping accommodation for the use of the public engaging in recreational activities, and includes the services and facilities in connection with which sleeping accommodation is provided, but does not include:-</p> <p>(i) a camp operated by a charitable corporation approved under The Charitable Institutions Act, or</p> <p>(ii) a summer camp within the meaning of the regulations made under The Public Health Act, or</p> <p>(iii) a club owned by its members and operated without profit or gain.</p> <p>6 No tourist establishment may be constructed or altered without a permit which must conform with the regulations. An annual licence is also required for all establishments.</p> <p>8 No sign may be displayed which does not comply with the regulations.</p> <p>13 The Minister may make regulations regarding.....the content of signs respecting tourist facilities, governing the plans and specifications of tourist establishments, etc.</p>
- signs		
TOURIST AND TRAILER CAMPS AND MOTELS	Municipal Act 383.15	Council may designate areas to be used as tourist or trailer camps or motels and may prohibit these uses elsewhere. Minimum trailer lot sizes may be prescribed. Licence fees not exceeding \$20 per month per lot may be charged.
Township road	see HIGHWAY -	
TRAFFIC	Municipal Act 354(1)107	Council may prohibit heavy traffic as defined in the by-law.
	Highway Traffic Act	<p>135 A by-law for regulating traffic must be approved by the Ministry.</p> <p>64-81 Heavy vehicles may be caused to obtain a permit to use certain roads.</p>
TRAILERS, TRAILER CAMPS	Schools Administration Act	<p>100 A municipality which collects licence fees from trailers must pay a proportion of those fees to the school boards, in the same proportion as school taxes bear to total taxes. This does not apply to municipally operated trailer camps.</p> <p>101 In unorganized territory, a fee of \$3 per month is payable by a trailer occupant to the local school board, except in July and August, and \$2 per month is payable to the secondary school board.</p>
- school fees	Public Schools Act 5	A child must be admitted to school free of charge if he (she) resides in a trailer for which fees are paid for the support of public schools.
- time limitation	Municipal Act 354(1)	86 Council may prohibit the use of a trailer for more than a specified number of days (not less than 60) in a period of ten consecutive months within any defined area. A trailer is defined as any vehicle so constructed that it is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle, and capable of being used for the living, sleeping or eating accommodation of persons, notwithstanding that such vehicle is jacked-up or that its running gear is removed.
- licences		87 Trailers may be licensed for a fee not exceeding \$20 per month.
- municipal trailer		88 Municipal trailer camps may be established, fees may be charged and the corporation must reimburse the school boards for each pupil residing in a trailer.

(Cont'd)

Subject

Reference

Description and Notes

TRAILERS, TRAILER
CAMPS (CONT'D)

Highway Traffic
Act 1(1)34

Note that this definition includes a boat trailer, ski trailer, u-haul, etc. but NOT a mobile home.

"Trailer" means a vehicle that is at any time drawn upon a highway by a motor vehicle, except an implement of husbandry, a mobile home, another motor vehicle or any device or apparatus not designed to transport persons or property, temporarily drawn, propelled or moved upon such highway, and except a side car attached to a motorcycle, and shall be considered a separate vehicle and not part of the motor vehicle by which it is drawn

TRANSMISSION POLES,
WIRES

Municipal Act 354(1)
98 and 101

Council may regulate the erection and maintenance of poles, wires, cables, etc. on highways and public places. This does not, however, confer a power of taxation. (See Coaxial Colourview Ltd. et al vs Borough of Scarborough, 1974).

see also HYDRO-ELECTRIC
POWER

TREES

Forestry Act
(Natural Resources)

Provides for furnishing trees to individuals and municipalities and agreements for the Crown to manage forest lands.

Public Transportation
and Highway Improvement
Act

27 The Ministry may plant trees upon the King's Highway and charge the cost to maintenance. No person may destroy or injure any tree within the limits of a highway, except with the Ministry's consent. The Ministry may subsidize tree planting adjoining a highway.

- obstructions

31(2)b No person may place a tree or shrub within 150 feet of King's Highway or 600 feet of an intersection except under permit from the Minister.

98 A municipality or suburban roads commission may plant trees on its roads and charge the cost to maintenance.

Municipal Act 457

Council may authorize the planting of trees on highway and subsidize such planting by individuals. (See also local improvements).

Conservation Authorities
Act
(Natural Resources)

20(p) A Conservation Authority is empowered to plant and produce trees on Crown or other lands.

Trees Act
(Natural Resources)

2 Trees planted on a lot boundary are common property of adjoining owners.

4 County council or council of a separated municipality may regulate and restrict the cutting of trees, with the Minister's approval. Any council in a territorial district also has this authority.

7-12 Councils may acquire and maintain land for forestry purposes and may encourage reforestation on private property by granting exemption from general taxation and by planting and fencing at municipal expense.

see also PUBLIC LANDS -;
LOCAL IMPROVEMENTS;
OBSTRUCTION OF VIEW

Subject	Reference	Description and Notes
Underground wiring	see HYDRO-ELECTRIC POWER -; TRANSMISSION POLES, WIRES	
UNORGANIZED TERRITORY	Public Hospital Act 1(s)	In this Act "unorganized territory" means those parts of Ontario that are without municipal organization, including Indian reservations and provincial parks, but not including property of the Government of Canada used for the purposes of national defence installations, camps or stations.
	Municipal Act 1.26	"Unorganized territory" means that part of Ontario without county organization.
- roads	Public Transportation and Highway Improvement Act 86	For most purposes, unorganized territory simply means lands without municipal organization.
- assessment	Provincial Land Tax Act (Natural Resources)	The Minister may arrange with a local roads board or with road commissioners or a landowner to construct and maintain a road in unorganized territory.
- exempt lands		This Act deals with the assessment and taxation of all land situated in territory without municipal organization.
- assessed value		3 Categories of exempt lands are described (similar to exempt properties under the Assessment Act).
- Provincial Land Tax Register		4 The assessed value of land for the purposes of the Act is the price that it might be expected to bring if offered for sale on the open market by a person who is solvent.
		6 Assessment information on unorganized territory is kept in the Provincial Land Tax Register.
	see also PUBLIC HEALTH -; LOCAL ROADS BOARD; P.A. 18 & 23; PUBLIC LAND - restricted area; SCHOOLS -; COMMUNITY CENTRE -	
Urban design	see IMPROVEMENT AREAS FOR BEAUTIFICATION OF SHOPPING AREAS	
URBAN RENEWAL	National Housing Act Part III	22 "Urban renewal area" means a blighted or substandard area of a municipality for which the government of the province in which the area is located has approved the implementation of an urban renewal scheme.
- area		"Urban renewal scheme" means a scheme for the renewal of a blighted or substandard area of a municipality that includes:
- scheme		(a) a plan designating the buildings and works in the area that are to be acquired and cleared by the municipality in connection with the scheme and for making available to persons dispossessed of housing accommodation by such acquisition or clearance, decent, safe and sanitary housing accommodation at rentals that, in the opinion of the Corporation, are fair and reasonable having regard to the incomes of the persons to be dispossessed,
		(b) a plan describing the proposed street pattern and land used for the area, and the program for the construction or improvement in the area of municipal services, schools, parks, playgrounds, community buildings and other public facilities,
		(c) a description of the methods planned for municipal direction and control of the use of land in the area, including zoning building controls and standards of occupancy of buildings in the area,
		(d) a description of the methods planned for the improvement, rehabilitation or replacement of privately owned facilities including housing accommodation, that will continue in the area, and the techniques planned for retarding such facilities from becoming sub-standard, and

(Cont'd)

Subject

Reference

Description and Notes

URBAN RENEWAL (CONT'D)

- cost sharing

(e) the estimated costs of the scheme, and that will be developed in accordance or in harmony with an official community plan.

23 C.M.H.C. may enter into an agreement with a province or municipality to pay one half the cost of preparing an urban renewal scheme.

24,25 C.M.H.C. may enter into an agreement to pay one half the cost of implementing an urban renewal scheme, and may in addition make a loan for up to two-thirds of the remaining actual cost of implementation.

25.1 Federal urban renewal funding has been cut off for all projects except those underway prior to February 1, 1971.

URBAN SERVICE AREA

Municipal Act 14(12)

The O.M.B. may define urban services and cost of urban services and may establish urban service areas in a municipality enlarged by annexation or amalgamation. The Board may determine how the cost of providing urban services is to be distributed on lands in the municipality.

Utilities

see PUBLIC UTILITIES

Subject	Reference	Description and Notes
VEHICLE	Highway Traffic Act 1(1)35	"Vehicle" includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a motorized snow vehicle or the cars of electric or steam railways running only upon rails.

Subject

Reference

Description and Notes

Waste disposal sites

see WASTE MANAGEMENT

WASTE MANAGEMENT

Environmental Protection Act 28-48

- certificate of approval

28 "Waste" includes ashes, garbage, refuse, domestic waste, industrial waste, municipal refuse, etc.

30-31 No waste management system or waste disposal site may be established or enlarged without a certificate of approval.

32 No money may be spent by any municipality for waste disposal without a certificate of approval.

33 The Minister may tell a municipality to institute a waste collection or management system.

33a-33b Where a waste disposal site application involves considerable industrial waste, a public hearing must be held by the Ministry unless the situation is deemed an emergency.

34 No certificate of approval may be issued unless the applicant deposits sufficient funds to ensure satisfactory maintenance of the site or system. Municipal waste disposal sites and systems may also be subject to public hearings.

40 No waste may be deposited except on a waste disposal site.

- waste disposal wells

46a Reference is also made to waste disposal wells and to compensation for pollution through such wells.

48 Approval for disposal of waste or mineral water in an underground formation under The Petroleum Resources Act is deemed a certificate of approval.

- types of waste

Regulation 824 (E.P.A.) as amended

2,3 The following types of waste are defined: agricultural wastes, derelict motor vehicles, hauled liquid industrial waste, hauled sewage hazardous waste, incinerator waste, inert fill and processed organic waste.

- waste disposal sites

4 The following types of waste disposal sites are listed and described: composting sites, derelict motor vehicle sites, dumps, grinding sites, incineration sites, landfilling sites, on-site incinerators, on-site garbage grinders, organic soil conditioning sites, packing and baling sites and transfer stations.

- waste management systems

6 The following waste management systems are classified: municipal waste management systems, private waste management systems, individual collection systems, hauled liquid and hazardous waste collection systems, marine craft waste disposal systems and organic waste management systems.

- standards

10-14 Standards are prescribed for land-filling sites, incineration sites, dumps, organic soil conditioning sites, derelict motor vehicle sites and waste management systems.

Municipal Act 354(1)

- area rate

76-78 Council may establish a system of garbage collection and disposal, with the approval of the Ministry of Health, and may acquire land for a disposal site in another municipality, by agreement or else with O.M.B. approval and may levy a special area rate for garbage disposal purposes.

116 Council may prohibit or regulate and inspect garbage dumps or waste disposal areas of any kind. (This authority is not abrogated by the Environmental Protection Act, see Raes versus Township of Plympton, 1971.)

WATER CANALS IN SUBDIVISIONS

Municipal Act 360

Councils may accept conveyance of lands in registered plans of subdivision for water canals and may maintain these canals. The cost of maintenance may be apportioned on surrounding property. The use of the canals may be regulated and boat speed limits may be set. Abutting owners may be permitted to construct docks or slips and may be charged an annual fee.

Water control

see CONSERVATION; DRAINAGE; PUBLIC LANDS

Subject	Reference	Description and Notes
Water management	see CONSERVATION (NATURAL ENVIRONMENT)	
Water pollution	see WATER QUALITY	
Water privilege	see LAKES AND RIVERS -	
WATER QUALITY	Environmental Protection Act 25-27	No person shall add any substance to water that may injure any living thing, except by permit or licence from the Ministry. (No regulations yet).
	Ontario Water Resources Act 30-34 (Environment)	The quality of water may be deemed to be impaired if any material discharged in it may cause injury to any living thing (30). The Minister of the Environment supervises all surface and ground waters. If the quality of a water body is being impaired the Minister may apply for an injunction to prohibit the discharge (31). Pollution of a water body is punishable by a fine of up to \$5,000 for a first offence (32). Every person or municipality responsible for an extraordinary discharge into a water body must notify the Minister. The discharge of any sewage into any water body may be prohibited or regulated (33), and the Ministry may order that necessary equipment be used to alleviate pollution.
	see also PUBLIC HEALTH; LAKES AND RIVERS	
Water resources	see WATER QUALITY; WATERWORKS	
WATER SUPPLY	Ontario Water Resources Act 36,37	An area may be defined that includes a source of public water supply and no person may swim in it, impair its quality or diminish the amount available. All large water users (over 10,000 gallons per day) must obtain a permit from the Ministry. This does not apply to farm or domestic purposes.
	see also WELLS; PUBLIC UTILITIES	
Waterways	see NAVIGABLE WATERWAYS; LAKES AND RIVERS	
WATERWORKS	Ontario Water Resources Act	41 No waterworks may be started or enlarged without the prior approval of the Ministry.
		51 Waterworks are required to be maintained to the Ministry's satisfaction.
- projects		52-53 A municipality may apply to the Minister to have him (her) provide and operate its waterworks as a project.
- rate		54 Subject to O.M.B. approval, a waterworks rate and a water service rate may be imposed.
	see also PUBLIC UTILITIES; PUBLIC HEALTH	
Wayside pits	see PITS AND QUARRIES	
WEED CONTROL	Weed Control Act (Agriculture & Food)	6 Every county and regional municipality must appoint an area weed inspector. Other municipalities may appoint a municipal weed inspector.
- entry on private property		10 An inspector may enter at any time between sunrise and sunset upon any land and building other than a dwelling house.
		11 An inspector may order the destruction of noxious weeds and the owner must comply. Provision is made for appeal procedures.
		13 If the owner fails to comply, the inspector may destroy the weeds and charge the owner on his tax bill.
- subdivided areas		14 A municipality may direct its inspector to destroy the weeds on any subdivided property and may recover the cost from the owners in the same manner as taxes.
		19 Sections 11 and 14 do not apply to lands so far distant from any agricultural or horticultural use that the weeds would have no material effect on those uses.
		21 Provision is made for provincial regulations and subsidies.

Subject

Reference

Description and Notes

WEED CONTROL (CONT'D)

61 A public water service area may be designated by the Ministry and conditions may be imposed by order to regulate, control, prohibit or provide water service.

WELLS

Ontario Water Resources Act 37,39,40

Leaking wells may be regulated by the Ministry. A permit is required to bore a well. Well drillers must be licensed. (Regulation 64B, O.W.R.C. Act).

WILDERNESS AREAS

Wilderness Areas Act (Natural Resources)

2 Cabinet may set aside wilderness areas, which are under control of the Minister.

3 Nothing in this Act limits the utilization of the natural resources in a wilderness area of more than 640 acres.

7,8 Regulations may be made for any wilderness area. Contravention are subject to fines of up to \$500.

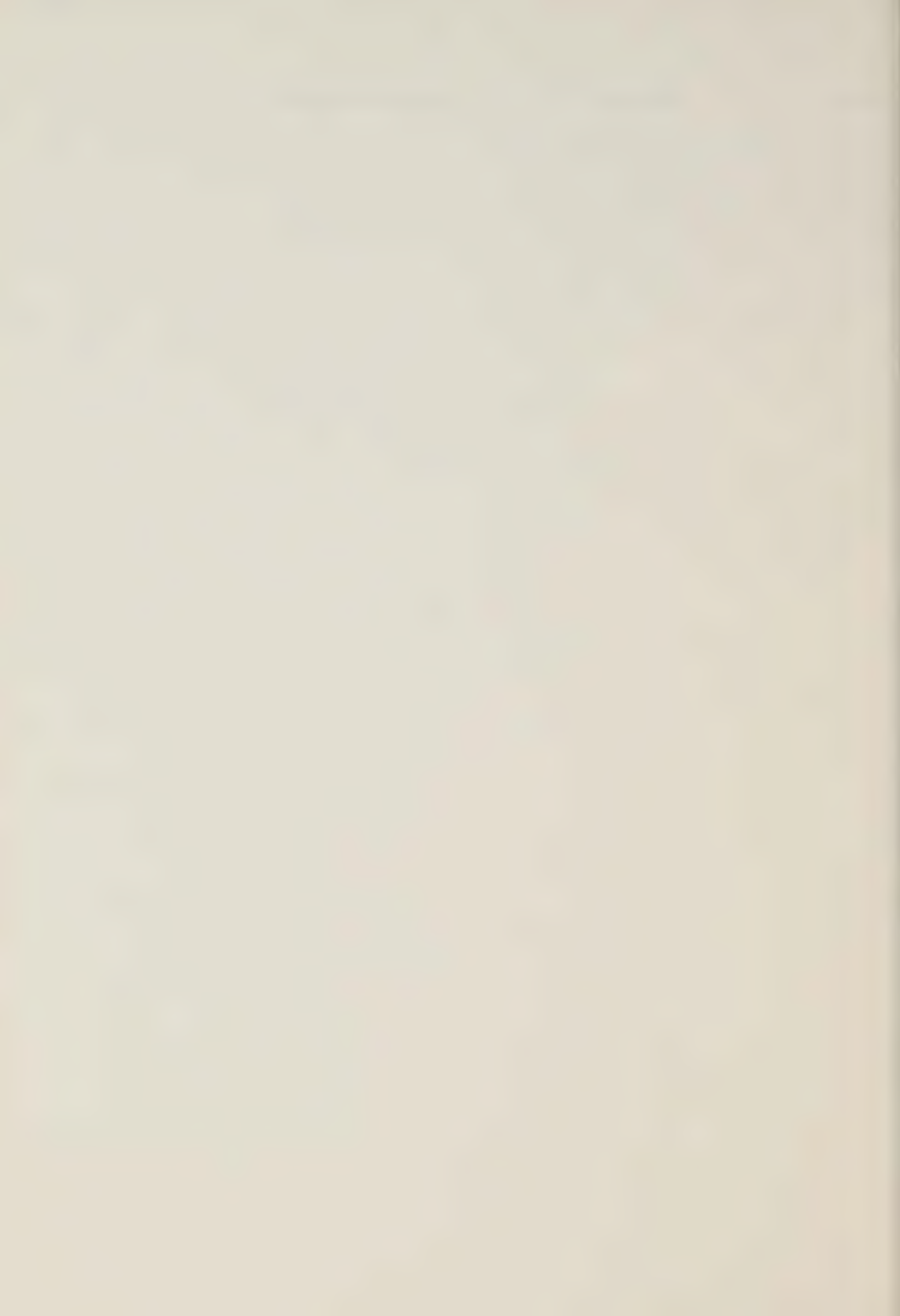
Wiring

P.A. 38(1)17; see also HYDRO-ELECTRIC POWER - underground wiring

Wrecking yards

see JUNK YARDS

Subject	Reference	Description and Notes
Zoning by-law	RESTRICTED AREA BY-LAW: P.A. 35	
Zoning in provincial parks	see PROVINCIAL PARKS - zoning	
Zoning on county road	see HIGHWAY - zoning	
Zoning orders	P.A. 32; see also PARKWAY BELT -	
Zoning plans on public lands	see PUBLIC LANDS - zones	





Ontario

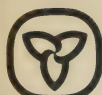
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Community Planning
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Local Planning Policy Branch

Director
G. Keith Bain

Programs Section

Manager
Gary McAlister
Senior Planner
Pierre Beeckmans

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Foreword to second edition

Most planners and laymen involved in planning become familiar with legislation and regulations by a haphazard process of discovery as they deal with different topics. This document is intended to provide a convenient source of reference encompassing the very wide range of topics with which a planner may have to be familiar.

In addition to including new legislation which has been introduced since the publication of the first edition in 1975, the second edition expands substantially on the original by broadening the coverage of Federal material and, particularly, by adding a large number of cross-references. A number of items were added or modified as a result of suggestions submitted by users. Such contributions will continue to be gratefully received and should be addressed to:

G.K. Bain, Director,
Local Planning Policy Branch,
Ministry of Housing,
Queen's Park, Toronto.
M7A 1Y7

July 1977

Caution

This reference manual is intended to assist you in finding legislation pertinent to various planning topics. It should not be used as a substitute for the legislation itself; neither should the comments be quoted as being necessarily expressions of government policy or interpretations with official status.

A planner's reference to legislation in Ontario

Purpose

It is assumed that anyone active in planning in Ontario would have copies of The Planning Act and the Ontario Planning and Development Act to hand and would be reasonably familiar with them. However, many planning and development matters are affected by other statutes than the above two Acts and this document is intended to assist a planner in finding relevant information or in refreshing his memory as to its general content. It is not intended to give a comprehensive, detailed record of each of the pertinent items of legislation; reference should be made to the statutes for that purpose. Any planner dealing in depth with a topic would obviously be expected to use the source documents for information. This reference work is intended primarily for the generalist who may be called upon to respond to a variety of municipal planning or related problems and yet lacks either wide and varied experience or a photographic memory, or both.

Content

In compiling this document, some judgment had to be exercised regarding how wide a net could be cast under the aegis of "planning". Having fished up some rather fascinating items, we reluctantly rejected references to The Pregnant Mare Urine Farms Act as being beyond the planner's normal area of interest. A "puffer" as defined in The Conveyancing and Law of Property Act was also a tempting but rejected tid-bit. (It means a person appointed to bid on the part of the seller.) We hesitated about including the "devil strip" but were persuaded to retain it by the current revival of interest in street railways.

It is unlikely that any two people would have arrived at exactly the same choice of material to include but it is hoped that planners will agree that most of the compiled references should form part of the "complete Ontario planner's" store of general knowledge and that this work is of some practical value. Most of the references are to Ontario statutes, but some federal legislation is also included. A few references have been included to items which are not in the statutes but have some official status, such as regulations or guidelines of which a planner should be aware.

How to use the planner's reference

The material is gathered in alphabetical order by topic but some items may appear as sub-topics (in lower case) of a main entry (in capitals).

E.G. "Low rental housing" is a sub-heading under "HOUSING". A cross-reference appears under "L", both in the index and the main body of the text:

Low rental housing	see HOUSING -
--------------------	---------------

The dash after HOUSING indicates that the title in the left hand column appears as a sub-heading of HOUSING.

If the cross-reference in the index starts with the words "see also" the user should first seek the item listed in the left hand column and, in addition, should refer to the "see also" item.

This reference work was designed to serve people already familiar with The Planning Act. It was nevertheless found convenient to include index reference to this Act, which appears abbreviated as P.A.

The abbreviated name of the ministry responsible for administering the legislation referred to is sometimes shown in brackets after the name of the Act. It is omitted, however, where that information is considered obvious or repetitious. (The Municipal Act and most municipal legislation is administered by the Ministry of Treasury, Economics and Intergovernmental Affairs. The Planning Act is administered by the Ministry of Housing).

Subject

Reference

A

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Action to restrain contravention of by-law	see ENFORCEMENT OF BY-LAWS
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see NAVIGABLE WATERS

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Abandoned Buildings	see BUILDING CODE	
ABANDONED MOTOR VEHICLES	Environmental Protection Act, 49-55h	An abandoned vehicle may be removed by a police officer or a designated provincial officer to an abandoned motor vehicle site. The owner must be notified that he has thirty days to claim the vehicle. If he does not receive notice, the owner may claim compensation. (See also regulation 382/73)
	49(a)	"Abandoned motor vehicle" means a vehicle that has been left unattended without lawful authority and that appears to an officer, by reason of its age, appearance mechanical condition or lack of licence plates, to be abandoned.
	Regulation 824 (E.P.A.)	1.7a "Derelict motor vehicle" means a motor vehicle that, <ol style="list-style-type: none"> is inoperable, and has no market value as a means of transportation, or, has a market value as means of transportation that is less than the cost of repairs required to put it into operable condition. Derelict motor vehicles are designated wastes pursuant to this Act. Standards are prescribed for the location, maintenance and operation of a derelict motor vehicle site.
ABANDONED ORCHARD	Abandoned Orchards Act 1 and 7 (Agriculture and Food)	If an orchard has been designated by the Provincial Entomologist as a neglected orchard, or if no fruit has been produced on it for sale for two consecutive growing seasons, an orchard may be termed to be an "abandoned orchard" and the owner is then obliged to destroy all fruit trees in it. This Act only applies to orchards located within 300 yards of commercial orchard.
Abattoirs	see SLAUGHTERHOUSES	
ACCESS TO LIGHT AND AIR	Limitations Act 33 (Attorney General)	The right of access to light and air from a building should not be assumed in common law simply because such access has been enjoyed over a long period of time. A right could only be acquired in this manner by twenty years of use prior to March 5, 1880.
Access road to provincial park	see PROVINCIAL PARK - access road	
Access to private property	see ENTRY ON PRIVATE PROPERTY; HYDRO-ELECTRIC POWER; PUBLIC WORKS; PUBLIC HEALTH	
Action to restrain contravention of by-law	see ENFORCEMENT OF BY-LAWS	
Aesthetics	see SIGNS; IMPROVEMENT AREAS.....; P.A. 35a; LAKES AND RIVERS -	
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Agreement forest		see Trees
AGREEMENTS	Municipal Act 343	A municipal corporation has a right to enforce a contract or agreement.
	see also IMPOSTS; P.A. 29(7), 33(6), 35a(4) (b) (Developer's Agreement)	
Agricultural Code of Practice	see AGRICULTURAL POLLUTION	
Agricultural Development	P.A. 29(5d); see also RURAL DEVELOPMENT	

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see PUBLIC LANDS -
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committee; RURAL
DEVELOPMENT

The Ministry of Agriculture and Food has issued a statement with respect to agricultural development and land use in Ontario:
A Strategy for Ontario Farmland. March, 1976.

AGRICULTURAL
POLLUTION

Refer to the Agricultural Code of Practice prepared jointly by the Ministry of Agriculture and Food, the Ministry of the Environment and the Ministry of Housing (1976). It applies to livestock and poultry farms and includes minimum land areas for manure utilization, separation distances from dwellings, guidelines for regulating encroachment on established farms, methods to control water pollution, advice on the disposal of dead animals, etc. (The Code is obtainable from the Ontario Government Bookstore or a local agricultural representative).

AGRICULTURAL
REHABILITATION

Agricultural Rehabili-
tation and Development
Act (Agriculture and
Food)
see also RURAL DEVELOP-
MENT

The provincial government may co-operate with the federal government to undertake projects for the more efficient use and economic development of lands; for the development of income and employment opportunities in rural areas and improving standards of living in those areas; and for the development and conservation for agricultural purposes of water supplies, for soil improvement and for conservation that will improve agricultural efficiency.

AGRICULTURAL WASTE

Environmental Protection
Act, Regulation 824 as
amended

1.3 "Agricultural waste" means waste, other than sewage, resulting from farm operations, including animal husbandry and where a farm operation is carried on in respect to food packing, food preserving, animal slaughtering or meat packing, includes the waste from such operations.

AIR POLLUTION

Environmental Protection
Act, 94 and 22 - 24

The Lt. Gov. in Council may make regulations relating to all manner of pollution. Regulation 15 is the general regulation pertaining to air pollution, including smoke density.

Clean Air Act
(Environment-Federal)

4. The Minister may formulate national air quality objectives, which may be adopted by the provinces.
7. The Federal government may prescribe national emission standards for sources of air contaminants and may prosecute operators in contravention of the standards. This applies only to emissions constituting a significant health hazard or to emissions likely to result in the violation of an international obligation. To date, the only regulations to have been published are those affecting secondary lead processing plants. Regulations are pending for asbestos emissions from mining and milling, mercury from chlor-alkali plants, vinyl chloride from vinyl chloride and polyvinylchloride manufacture and arsenic from a variety of smelting processes.
8. The Minister may publish air pollution guidelines for industrial operations. Published guidelines to date relate to cement plants, asphalt plants, coke ovens and arctic mining.

Air space over
highways

see HIGHWAY - use of
space over

AIRCRAFT NOISE

Refer to "New Housing and Airport Noise" a supplement to the C.M.H.C. site planning handbook, and to the Minister of Housing's "Land Use and Aircraft Noise" policy. (Still in draft at time of publication)

AIRPORT

Airports Act 1-5
(Transportation and
Communications)

The provincial government may enter into agreements with a municipality, an individual and the federal government for the establishment or enlargement of an airport. The Minister may acquire, establish, operate and maintain airports; with the approval of Cabinet, he may provide funds to a municipality or an individual for such purposes.

AIRPORT ZONING

Aeronautics Act
(Transport-Federal)

In the vicinity of an airport, the Minister of Transport may regulate the height of buildings through a zoning plan, registered on title. Persons injuriously affected may recover compensation. Light, smoke and noise which could interfere with airport operations may also be prohibited. Planning guidelines for the use of land outside the airport property boundary are published by the Canadian Air Transportation Administration.

Subject	Reference	Description and Notes
ANNEXATION AND AMALGAMATION	Municipal Act	14(2) Upon an application by a council, by the Minister, or by twenty-five inhabitants of an area, the Municipal Board may order the amalgamation of municipalities or the annexation of all or part of certain municipalities or areas to a municipality or from them to another municipality.
- notice, hearing		(4) The Municipal Board, before making an order with regard to subsection 2, is required to give proper notice and hold a public hearing in order to inquire into the merits of the application and in order to hear any objections to it.
- official plan		(6) The by-law of a municipality, which authorizes an application for amalgamation or annexation under the provisions of this section, may not be invalidated on the ground that it conflicts with the official plan.
ANIMALS	see also BOUNDARIES Municipal Act 354(1)1-7	Council may prohibit or regulate the keeping of any class of animals or limit the number of animals kept in any defined area. ("Animal" includes birds and reptiles). Establishments for the boarding or breeding of animals may be regulated.
Appeals	see also RENDERING PLANT see PUBLIC PARTICIPATION - appeals	
Archaeological preservation	see CONSERVATION (CULTURAL)	
Architectural preservation	see CONSERVATION (CULTURAL)	
AREA RATE		
- police	Police Act 22	Police costs may be met by levying rates that are different between areas defined by the council or by levying rates in one or more of such areas only.
	see also DRAINAGE -; IMPOSTS; LOCAL IMPROVEMENTS; PUBLIC TRANSPORTATION -; PUBLIC UTILITIES -; RECREATION -; SEWERAGE -; WASTE MANAGEMENT -; WATERWORKS -; HYDRO-ELECTRIC POWER; IMPROVEMENT AREA FOR THE BEAUTIFICATION OF SHOPPING AREAS	
ASSESSMENT	Assessment Act (Revenue)	3 The following types of property are exempt from taxation: Federally or provincially owned land, Indian lands, churches, cemeteries, public or separate school buildings and grounds, universities, seminaries, public hospitals, charitable institutions, industrial farms, scouts and guides property, municipal property, public libraries, horticultural societies, exhibition buildings,
- property exempt from taxation		4 Council may also by by-law exempt land owned by religious institutions and used for recreation.
- business assessment		7 In addition to land assessment, a sum computed as a percentage of the land assessment is charges as business assessment.
- market value		27 "Market value" is the amount that land might be expected to realize if sold in the open market by a willing seller to a willing buyer.
- areas exempt from taxation		29 Council must annually pass a by-law declaring what parts, if any, of the municipality are exempt or partly exempt from taxation for expenditures incurred for waterworks, fire protection, garbage collection, sidewalks, pavements, sewers, street lights and street maintenance.
- golf course		31 A golf course may be granted fixed assessment. (Not applicable to buildings, and does not apply to local improvement taxation.)

A

Subject

Reference

Description and Notes

ASSESSMENT (CONT'D)

see also UNORGANIZED
TERRITORY; CONDOMINIUM -
assessment

Assessment,
Environmental see ENVIRONMENTAL
ASSESSMENT

Assessment information
for planning P.A. 7

Assisted Home
Ownership Program
(AHOP) see HOUSING

ASSUMPTION PLAN Public Transportation
and Highway Improvement
Act 6

Auditorium see PUBLIC HALL;
RECREATION

Automobile see MOTOR VEHICLE, CAR
WASH

Automobile emissions see AIR POLLUTION

Automobile service
station see SERVICE STATION

Automobile wrecking
yard see JUNK YARDS

This is a plan registered by the Minister of Transportation and Communications to establish the vesting of a highway in the Crown.

Subject	Reference	Description and Notes
Barn	see GARAGE; AGRICULTURAL POLLUTION	
BEACHES AND SHORES	Public lands Act (Natural Resources)	47 The Minister and any municipality may enter into agreements respecting the control and management by the municipality of any public lands comprised of beaches or lands covered with water.
	Beach Protection Act (Natural Resources)	65 Public land that is a beach and is travelled upon is not by reason thereof a highway within the meaning of any Act.
	Municipal Act 352(47,49)	Prohibits the moving of any sand (earth, gravel, etc.) from a bed, beach bank, etc. of any lake, river or stream without a license issued by the Minister. Regulations under this Act do not apply to municipalities or individuals removing sand for their own use; however, individuals must obtain the written consent of the municipality.
	see also NAVIGABLE WATERS	Council may preserve shores, harbours, bays, riverbanks, etc.
Beds of Navigable Waters	see NAVIGABLE WATERS	
BEES	Bees Act 19 (Agriculture and Food)	In a rural area, no person may locate a bee-hive closer than 30 feet to a highway, dwelling or cultivated field, unless they are separated by a 7-foot high solid fence extending at least 15 feet on each side of the hives. In an urban municipality or in a designated suburban district of a township, bee-hives must be at least 100 feet away from a lot line adjoining lands occupied by a dwelling, a community centre, a public park or other place of public assembly or recreation.
BICYCLE AND FOOT PATHS	Municipal Act 453(4)	Council may set aside a part of a highway as a bicycle or foot path.
Billboards	see SIGNS	
Blighted Areas	see URBAN RENEWAL	
BLOCK IMPROVEMENT	Housing Development Act, O. Reg. 688/74	"Block improvement" means the clearing away of debris, exterior painting, removal of old fences and garages and other similar work to improve the exterior appearance of an area. Provincial grants are available to municipalities for block improvements on properties whose owners' adjusted family incomes do not exceed \$12,500.
BLOCK OUTLINE SURVEY	Boundaries Act 1(a) (Consumer & Commercial Relations)	"Block outline survey" means a survey in which outline monuments are placed at suitable points at or near some or all highway intersections or angles in highway boundaries, or, in cases where no highway exists, then at other suitable points.
BOATHOUSES	Municipal Act 363(1)	By-laws may be passed by councils of urban municipalities for inspecting boathouses.
BOATING RESTRICTIONS	Canada Shipping Act 635 (Transport - Federal)	Boating Restriction Regulations under this Act are administered by the Ontario Ministry of Natural Resources. Enforcement is usually carried out by O.P.P. but the federal Minister may appoint any official of a federal, provincial, county or municipal government as a peace officer for the purpose of these regulations. Regulations may prohibit all vessels from certain waters, or prohibit power driven vessels, specify maximum speed limits, prohibit water skiing or provide for permits for regattas, marine parades and boat races.
Boats	see PUBLIC HEALTH -; WATER CANALS	
BODY RUB PARLOURS	Municipal Act 368a	"Body-rub" and "body-rub parlour" are defined. Council may pass a by-law defining the areas in which body-rub parlours may operate and may regulate or prohibit advertising signs promoting body-rub parlours. An M.O.H., a public health inspector or a peace officer may enter a body-rub parlour at any time to enforce the by-law.
BOULEVARDS	Municipal Act 453(1,2) and 433(1)(e)	Council may set aside part of a highway as a boulevard and permit abutting owners to maintain it. (See also Local Improvements.)

B

Subject

Reference

Description and Notes

BOUNDARIES

Boundaries Act
(Consumer & Commercial
Relations)

Territorial Division Act
(T.E.I.G.A.)

This Act provides for the confirmation of boundaries on a plan which may be in doubt.

- 1 The territorial division of Ontario into counties and districts and metropolitan and regional areas is described in this Act.
- 8-12 The boundaries of townships lying on certain lakes and rivers are described.
- 13 Where doubt exists regarding the township to which an island or other land belongs, a declaration may be sought under The Municipal Corporations Quieting Orders Act.
- 14 The Lieutenant Governor in Council may establish new townships, alter the boundaries of territorial districts, alter township boundaries in areas where no letters patent have been issued, and annex any gore or tract of land not forming part of a township to any adjoining township.

BRIDGES

Bridges Act (Transportation and Communications)

- 2 (1) No bridge may be built, altered or replaced except with the approval of the Lieutenant Governor in Council.
- (2) Conditions for approval of the building, altering or replacement of a bridge require:
 - (a) a petition requesting such approval
 - (b) proof that the plans of the bridge have been deposited with both the Minister and the proper registry or land titles office, and
 - (c) proof that notice of such application has been published in the Ontario Gazette and two newspapers having general circulation in the area of the proposed site.
- 4 Regulations may be made regarding the building, alteration or replacement of a bridge.

see also LOCAL IMPROVEMENT; HIGHWAY

Buffer Strip

see LANDSCAPING

Building by-laws

P.A. 38; see also BUILDING CODE

BUILDING CODE

Ontario Building Code 1974

This Act provides the authority for the establishment and enforcement of an Ontario Building Code to replace the building standards established by municipal by-laws and the provincial plumbing code. By-laws passed pursuant to Section 38 of The Planning Act now only apply to existing buildings and minor additions and to used mobile homes.

1. The terms "building", "construct", and "demolition" are defined.
3. The council of each municipality is responsible for the enforcement of this Act unless it enters into an agreement for the provision of enforcement with or by another municipality, the county or the province.
5. A building permit, indicating compliance with the conditions and regulations of this Act, is required for the construction or demolition of a building. The municipality and the province may, within their respective jurisdictions, make regulations concerning such things as the amount of information required on permit applications, building permit fees, and the classes of permits required.
- 6 (4) Permits may be revoked: if issued on false information, the construction is not seriously started within six months or if the construction or demolition is suspended for over a year.
9. An inspector may prohibit occupancy of an unsafe building until the remedial action he has suggested is taken. If the building is considered by the inspector to be dangerous to the safety of the public it may be repaired, renovated or demolished at the owner's expense.
13. Any dispute with regard to the technical aspects of the building code may be settled before the Building Code Commission whose decision is final.

- abandoned buildings

- Building Code Commission

Subject

Reference

Description and Notes

BUILDING CODE (Cont'd)

- Building Materials
Evaluation Commission

- regulations

BUILDING ENCROACHING
ON HIGHWAYBuilding Restoration,
Rehabilitation

Building Standards

BUILT-UP AREA

Business Improvement
Area

By-law record

Municipal Act 354(1) 93

see CONSERVATION
(CULTURAL);
HOUSING - O.H.R.P.
- Neighbour-
hood
improvement

see PUBLIC HEALTH -

Highway Traffic Act 1(1)

see IMPROVEMENT AREA FOR
BEAUTIFICATION OF
SHOPPING AREASsee INDEX OF MUNICIPAL
BY-LAWS

14. Decisions of the inspector or chief official may be appealed in the district or county court.

17. The Building Materials Evaluation Commission is established to examine new materials, new techniques and new building designs and authorize their use.

18. Regulations may be made for the purpose of establishing a building code in Ontario governing standards for the construction and demolition of buildings. The nature of these regulations is also described. (See O.Reg. 925/75 and any amendments).

26. Section 38 of The Planning Act is subject to this Act.

Council may permit an inadvertent encroachment and charge an annual fee.

1 "Built-up area" means the territory contiguous to a highway not within a city, town, village or police village where,

i. not less than 50 per cent of the frontage upon one side of the highway for a distance of not less than 200 metres is occupied by dwellings, buildings used for business purposes, schools or churches, or

ii. not less than 50 per cent of the frontage upon both sides of the highway for a distance of not less than 100 metres is occupied by dwellings, buildings used for business purposes, schools or churches, or

iii. not more than 200 metres or the highway separates any territory described in subparagraph i or ii from any other territory described in subparagraph i or ii,

and signs are displayed as required by the regulations.

Subject

Reference

Description and Notes

Cable T.V.	see TRANSMISSION POLES; WIRES	
Camp grounds	see TOURIST ESTABLISH- MENT; TRAILER AND TOURIST CAMPS	
Camps	see PUBLIC HEALTH -; HEALTH AND SOCIAL SERVICES INSTITUTIONS - charitable institution; PUBLIC LANDS - summer resort location	
Canals	see WATER CANALS IN SUBDIVISIONS	
CANOPIES	Municipal Act 453(3)	Council may permit canopies to project over the side- walk and may levy an annual fee.
CAR WASH	Municipal Act 354(1)134	Council may license, regulate and govern the owners or operators of car washes.
Car wreckers	see JUNK YARDS	
Caution on title	see DEED RESTRICTIONS	
CEMETERY	Cemeteries Act (Consumer & Commercial Relations)	1 Columbarium, crematorium, mausoleum and cemetery are defined. 5 No cemetery may be established or enlarged except with Ministry approval. 41 Establishment and enlargement may occur by expropriation. 63 The closing of a cemetery requires an order of Cabinet. 58,59 Removal of bodies requires the assent of the Cabinet. 68,70 Management of a cemetery may be vested in a Board of Parks Management or a Cemetery Board. See also: Regulations
Central Mortgage and Housing Corporation (C.M.H.C.)	see HOUSING (National Housing Act)	
CERTIFICATE OF COMPLIANCE		The Agricultural Code of Practice refers to a Certificate of Compliance which is issued following an evaluation of a livestock production unit, its manure system and quality of management. The certificate is issued jointly by the Ministries of the Environment and Agriculture and Food and it attests to a farmer's ability to control pollution.
	see also P.A. 36(22) and 38(26)	
Certificate of occupancy	P.A. 35(4)	
CITIZEN ADVISORY COMMITTEE	Ontario Planning and Development Act 3, 6(1)(c)	These committees consist of persons appointed by the Minister and are intended to advise the Minister with respect to the preparation and implementation of a "development plan". Two committees must be formed in each development planning area: one to represent the municipalities, and one to be broadly representative of the people of the area.
Citizen Partici- pation	see PUBLIC PARTICIPATION	
Charitable Institution	see HEALTH AND SOCIAL SERVICE INSTITUTIONS -	
Children's Boarding Home	see HEALTH AND SOCIAL SERVICE INSTITUTIONS -	
Children's Institution		
Children's Mental Health Centre		
Children's Mental Hospital		
Columbarium	see CEMETERY	

Subject

Reference

Description and Notes

COMMERCIAL MOTOR VEHICLE	Highway Traffic Act (1)3	"Commercial motor vehicle" means a motor vehicle having permanently attached thereto a truck or delivery body and includes ambulances, hearses, casket wagons, fire apparatus, police patrols, motor buses and tractors used for hauling purposes on the highways.
Committee of Adjustment	P.A. 31, 41, 42	
COMMUNITY CENTRE	Community Recreation Centres Act (Community and Social Services)	1(1)e "Community Recreation Centre" means land or all or any part of a building or buildings or structures established in accordance with this Act that is maintained and operated for community recreation activity. (A community centre established under The Community Centres Act is deemed a Community Recreation Centre)
- unorganized territory		2 Council may by by-law establish and operate community recreation centres and may grant them aid.
- joint use		3 In unorganized territory a board with jurisdiction may establish and operate community recreation centres.
		4 Councils may enter into agreements for joint use of community recreation centres and may appoint a committee of management.
		6,9 The Minister may make grants to municipalities and boards for community recreation centre purposes.
		12 Cabinet may make regulations for community recreation centres.
	see also RECREATION	
Community Development	see HOUSING - neighbour-hood improvement	
Community-sponsored housing	see HOUSING - non-profit or community sponsored housing	
COMMUTER SERVICES	Commuter Services Act (Transportation & Communications)	This Act establishes the framework for the operation of commuter services by the provincial government and municipalities.
Compiled plan	see JUDGE'S PLAN; MUNICIPAL PLAN; REGISTRAR'S COMPILED PLAN	
COMPLETE SURVEY	Boundaries Act 1(b) (Consumer & Commercial Relations)	"Complete survey" means a survey that defines on the ground every angle of every parcel in the area surveyed.
COMPOSITE PLAN	Land Titles Act 164 & 171(2) (Consumer & Commercial Relations)	Similar to a Judge's Plan but applies to crown land. Application is made by the Minister of Natural Resources to the Director of Land Registration. The provisions of The Planning Act with respect to approval of plans of subdivision are not applicable to composite plans.
COMPOSITE TOWNSHIP	(TEIGA Library definition)	A township municipality composed of more than one geographic township, or composed of a geographic township and an area such as a mining location or a large island or improvement district.
CONDOMINIUM	National Housing Act (C.M.H.C. and M.S.U.A.)	2 "condominium unit" means a bounded space in a building designated or described as a separate unit on a registered condominium or strata lot plan or description or similar plan or description registered pursuant to the laws of a province and intended for human habitation, and includes any interest in land appertaining to ownership of the unit. ("Strata plan" is a synonym for "condominium plan" in common usage in British Columbia).
- assessment	Condominium Act (Consumer and Commercial Relations)	Section 24 relates a condominium application to The Planning Act (see also O. Reg. 98, as amended).
	Assessment Act (Revenue)	90 The assessment of condominium and cooperative units is to be based on the same criteria as owner-occupied single family residences in the same vicinity.
Connecting link	see HIGHWAY -	
Consent	P.A. 29	

Subject

Reference

Description and Notes

CONSERVATION
(CULTURAL)

Ontario Heritage Act
(Culture & Recreation)

Part 1 This part establishes the overall responsibility of the Minister for heritage conservation, protection and preservation.

Part 11 The Ontario Heritage Foundation is appointed by Cabinet. It may acquire and hold property, make grants, advise the Minister, etc.

- easements

Easements or covenants entered into by the Ontario Heritage Foundation may be registered against real property and shall run with the property. The easements or covenants made may be of a positive or negative nature and the Foundation may enforce such easements or covenants even where it owns no land which could be accommodated or benefitted by such an easement or covenant.

- conservation
review board

Part 111 A conservation Review Board is appointed by Cabinet to hear appeals under Parts IV and VI.

- local architec-
tural conservation
advisory committee

Part IV Individual properties may be designated by a municipality, which may consult a Local Architectural Conservation Advisory Committee. Properties designated by by-law as being historically and/or architecturally significant previous to the passing of this Act are also covered by the provisions of this Part. There is provision for herings, appeals, etc. Council approval is required prior to alterations or demolitions. Council may acquire or expropriate the properties or may make grants for alterations. Council may also acquire easements, or enter into covenants and may even assign them to any person if desired.

- heritage conserva-
tion districts

Part V If the official plan so provides, a whole area may be designated by a municipality as a Heritage Conservation District. The by-law requires an O.M.B. hearing and approval. It provides protection against demolitions, alterations, removals or erections, but demolition or removal can only be denied for 180 days. Council may also acquire or lease a designated property.

Part VI Archaeological exploration is only permitted by licence from the Minister. After due notice, property may be designated as archaeologically or historically significant. Thereupon no excavation, alteration or removal of objects may occur except by permit from the Minister. There is provision for appeals, hearings, etc. The Minister may also issue a 180 day stop order if a property is likely to be damaged by commercial, industrial or other development. Compensation is provided for.

The following background material, prepared by the Minister of Culture and Recreation, is available from the Ontario Government Bookstore:

"Guidelines on the Designation of Heritage Conservation Districts".

"Guidelines for the Designation of Buildings of Architectural or Historic Importance - a Handbook for Municipal Councillors".

"Archaeology and the Law in Ontario".

Historic Sites &
Monuments Act
(Fed.)

A nation-wide inventory of historic buildings is in progress. Provision is made for Federal financial involvement but it has not been substantial in Ontario.

Conservation
(Housing)

see HOUSING -
neighbourhood improvement

CONSERVATION
(NATURAL ENVIRON-
MENT)

Conservation
Authorities Act
(Natural Resources)

2,3 A Conservation Authority may be established by Cabinet upon request of municipalities in a watershed. Where a Region exists, it is the sole participating municipality for its area.

19,20 The powers and objectives of an Authority are described. They include an involvement in the management of all natural resources other than gas, oil, coal and minerals. Specifically: dams, reservoirs, parks and recreation and tree planting are mentioned.

27 Subject to Cabinet approval, an Authority may regulate: the use of water from rivers and lakes, interference with a watercourse, the location of irrigation ponds, the erection of structures in the "regional storm" flood plain, and the dumping of fill.

31 If a project affects Crown Land, a public work, a Hydro project or a road, a plan must be filed and approval obtained from the appropriate Minister.

Subject	Reference	Description and Notes
CONSERVATION (NATURAL ENVIRONMENT) (CONT'D)	see also: AGRICULTURAL REHABILITATION; HAZARD LAND	
Conservation Review Board	see CONSERVATION (CULTURAL) -	
Contracts	see AGREEMENTS; MONEY BY-LAWS	
Controlled access highway	see HIGHWAY -	
Controlled access road	see HIGHWAY -	
CONTROL ORDER	Environmental Protection Act 69-76	The Ministry may issue control or stop orders to reduce or stop pollution of the natural environment.
CONVEYANCE	Conveyancing and Law of Property Act 1(1) (Attorney General)	"Conveyance" includes an assignment, appointment, lease, settlement, and other assurance, made by deed, on a sale, mortgage, demise, or settlement of any property or on any other dealing with or for any property and "convey" has a meaning corresponding with that of conveyance.
	Land Transfer Tax Act (Revenue)	1(1)c "conveyance" includes any instrument or writing by which land is conveyed and includes a final order or foreclosure under any mortgage or charge affecting land.
	see also P.A. 29	
Co-operative housing	see HOUSING -; CONDOMINIUM - assessment	
Cottage	see PUBLIC LANDS - summer resort location	
COUNTY	P.A. 1(g) and 28	The general definition of a municipality in The Planning Act excludes a county; consequently the planning authority of a council is not given to a county except when specifically stated (as in section 28).
	Municipal Act 1 and 7	The Municipal Act differentiates between a "local municipality," which excludes a county, and a "municipality," which is defined as "a locality the inhabitants of which are incorporated." (includes a county)
	see also HIGHWAYS - county road, - zoning, - gas pumps, - signs, - suburban road	
County road	see HIGHWAY -	
COVENANT	Conveyancing and Law of Property Act 62 (Attorney General)	A covenant or condition running with the land may be modified or discharged by order of a judge of the Supreme Court or of a judge of the county or district court. This does not apply to any building restriction imposed by a by-law under The Municipal Act or The Planning Act.
	see also: DEED RESTRICTIONS	
Crematorium	see CEMETERY	
Crown land	see PUBLIC LANDS	
Culverts	see HIGHWAY -; DRAINAGE	

D

Subject

Reference

Description and Notes

Dams	see LAKES AND RIVERS; CONSERVATION; DRAINAGE; PUBLIC LANDS -	
DANGEROUS MANUFACTURES	Municipal Act 354(1)35	Council may prohibit or regulate the carrying on of trades that may be a fire hazard.
Day Nursery	see HEALTH AND SOCIAL SERVICE INSTITUTIONS -	
Dead Animals	see RENDERING PLANT; AGRICULTURAL POLLUTION	
DEBENTURES	Municipal Act 287-301 see also MUNICIPAL BOARD	Under the heading "Money By-laws" the Municipal Act deals with debentures, municipal debt and contracts for the supply of public utilities.
DEED RESTRICTIONS	Land Titles Act (Consumer and Commercial Relations)	128 A land owner may apply to the Land Registrar to have conditions or restrictions entered on the register (i.e. on title) which bind subsequent owners not to do certain things without authorization from named persons. 129 Covenants, conditions and restrictions may be contained in a transfer (i.e. deed) or may be registered pursuant to an application. To be registrable, such covenants, conditions and restrictions must run with or be capable of being legally annexed to land. 143 A caution on title has the effect that no dealing with the land may occur without the consent of the cautioner. 144 A registered caution expires automatically in five years unless renewed. The owner of land affected by a caution may apply to the Land Registrar to have the caution removed at any time.
Delegation of Minister's Power	P.A. 44b	
Demolition control	P.A. 37a	Section 37(a) of The Planning Act gives municipal councils the authority to decide whether a building in a defined area may be demolished. If council agrees, then the Building Code governs <u>how</u> the building should be demolished.
Density	P.A. 35(1a)	
Derelict motor vehicles	see ABANDONED MOTOR VEHICLES	
Design control	see Development control	
Developers' agreements	see IMPOSTS; P.A. 33(6)	
Development control	see NIAGARA ESCARPMENT -; Site Plan Control: P.A. 35a	
DEVELOPMENT PLAN	Ontario Planning and Development Act (T.E.I.G.A.) see also PARKWAY BELT	2. "Development plan" means a plan, policy and program, or any part thereof, approved by the Lieutenant Governor in Council, covering a development planning area or a portion thereof, as defined therein, designed to promote the optimum economic, social, environmental and physical condition of the area, and consisting of the texts and maps describing the program and policy. Sections 5 to 17 of the Act contain provisions relating to the preparation and implementation of a development plan. The Parkway Belt West Plan is the first plan to be prepared as a development plan.
Development road	see HIGHWAY -	
DEVIL STRIP	Municipal Act 460(7)	The area between two sets of tracks of a street rail- way is called a devil strip.
Distilleries	see INDUSTRIAL NUISANCES	
Domestic animals	see ANIMALS	
Downtown revitalization	P.A. 22-24 see also IMPROVEMENT AREA ...	

Subject

Reference

Description and Notes

DRAINAGE	Drainage Act, (Agriculture and Food)	The Act contains various provisions permitting individuals and municipalities to initiate and maintain drainage works.
		1(11) "drainage works" includes a drain constructed by any means including improving a natural watercourse, and includes works necessary to regulate the water table or water level within or on any lands or to regulate the level of the waters of a drain, reservoir, lake or pond, and includes a dam, embankment, wall, protective works or any combination thereof.
		2-10 These sections describe procedures and requirements needed to construct mutual agreement, requisition, and petition drains.
		11-20 An engineer's report is required to determine the scope and nature of any drainage project to be undertaken.
- cost and benefit assessment		21-46 The assessment of the costs and benefits of the drainage works are estimated for the affected properties.
- appeals		47-59 Appeals regarding the technical aspects of drainage proposals may be taken to the Ontario Drainage Tribunal. Legal questions may be appealed to the referee.
- area levy		60-61 A council raising money to pay for drainage works must impose a special levy upon the land assessed for the works.
		83(1) Except as authorized by an M.O.E. approved by-law, no person may discharge into a drainage works any substance other than unpolluted drainage water.
	(Sections 85a(2), 85b and 87(3) were not proclaimed at the time of publication)	85-90 Provincial grants to aid in the construction of drainage works range from 33 1/3% in counties to 80% in unorganized territories.
- expropriation	Expropriations Act (Attorney General)	2 The Expropriation Act does not apply to land used under the authority of The Drainage Act.
	Municipal Act 354(1)69 & 73; 352(16)	Council may require and regulate private drains; and may construct service drains from a sewer to the line of the highway. Council may construct drainage and sewerage systems and flood control works.
- tile drainage	Agricultural Tile Drainage Installation Act	This Act provides for the regulation and licensing of tile drainage installation operators.
	Tile Drainage Act (Agricultural and Food)	This Act provides for loans to farmers from municipalities to construct tile drains. Loans are repaid by a rate levied on the property and financed in the interim by municipal debentures sold to the Treasurer of Ontario. Loans must be repaid in full, plus interest, if the land is taken out of agricultural use before the loan is repaid. Where a council refuses an application or reduces the amount applied for, the applicant may appeal the decision to the Ontario Drainage Tribunal.
Dumping of fill	see CONSERVATION; PUBLIC LANDS - ;NAVIGABLE WATERS	
Dumps	see WASTE DISPOSAL; LANDFILL	
Dwelling Unit	P.A. 35b(2); see also HOUSING - family housing unit	

Subject

Reference

Description and Notes

EASEMENTS
- condominium

Condominium Act
(Consumer and Commercial
Relations)

- 8(1) Easements are relevant for single units in allowing for servicing, repairing damage and the support of common elements.
- (2) Easements are relevant for commons for servicing and for providing support.

- conveying land

Conveyancing and Law of
Property Act 15

Easements are included in the conveying of property.

Limitations Act 35
(Attorney General)

No easement in respect of wires or cables attached to property or buildings or passing through or over such property may be acquired except from the owner.

see also CONSERVATION
(CULTURAL)-

Ecology

see ENVIRONMENTAL
ASSESSMENT; WASTE
MANAGEMENT; NOISE

ELDERLY PERSONS CENTRE

Elderly Persons Centres
Act
(Community and Social
Services)

- 3 Council may, with the Minister's approval, establish and subsidize social and recreational centres for elderly persons.

- 4 Cabinet may make grants toward the establishment and maintenance of such centres, and may make regulations governing them.

Elderly persons
housing

see HOUSING -; HEALTH
AND SOCIAL SERVICE
INSTITUTIONS - home for
the aged

ENCUMBRANCE

Condominium Act 1(k)
(Consumer & Commercial
Relations)

"Encumbrance" means a claim that secures the payment of money or the performance of any other obligation, and includes a charge under The Land Titles Act, a mortgage and a lien.

Zoning and subdivision control do not, of themselves, constitute an encumbrance on title within the meaning of The Land Titles Act.

ENFORCEMENT OF
BY-LAWS

Municipal Act 469

Where council has authority to require that something be done and the person required to do it fails to fulfill that obligation, council may do it at his expense and charge the cost to him on his tax bill.
(Reference to this clause must be made in the enabling legislation relating to the specific authority).

- fines

Municipal Act 466

Council may impose fines of up to \$1,000 for any municipal by-law infraction.

- action to restrain
contravention of
by-law

Municipal Act 470

In addition to any other remedies, a by-law contravention may be restrained by a ratepayer, the corporation, or a local board.

see also HYDRO ELECTRIC
POWER -

ENTRY ON PRIVATE
PROPERTY

Interpretation Act 27(b)
(Attorney General)

"In every Act, unless the contrary intention appears, where power is given to a person, officer or functionary to do or to enforce the doing of an act or thing, all such powers shall be understood to be also given as are necessary to enable the person, officer or functionary to do or enforce the doing of the act or thing".

Some acts include specific reference to the authority to enter on private property. For instance, Section 36 of The Planning Act re maintenance and occupancy or paragraph 41 of Section 354(1) of The Municipal Act re fire matters. Section 8 of The Industrial Safety Act authorizes an inspector to enter any property at any time without a warrant except that he may not enter a place actually used as a dwelling without the occupier's consent unless he has a search warrant. Other areas of legislation include no such reference and the courts would be required to determine if entry were legally permissible.

see also HYDRO ELECTRIC
POWER -; PUBLIC WORKS;
WEED CONTROL

Subject

Reference

Description and Notes

ENVIRONMENTAL ASSESSMENT	Environmental Assessment Act (Environment)	<p>This Act provides for the assessment of the effects on the environment of public and private projects. "Environment" is defined to mean the human as well as the natural environment of Ontario.</p> <p>1 (0) A project or "undertaking" is defined as an enterprise or activity of a government or public body or a major commercial or business activity or enterprise. (A more precise definition is contained in the regulations pursuant to section 41).</p> <p>5 No project, to which the Act applies, may proceed unless the Minister has accepted an environmental assessment of the project and approved the undertaking. The required content of an environmental assessment is described.</p> <p>9-11 If the Minister finds that the submitted environmental assessment provides satisfactory grounds on which to judge the undertaking he will accept the assessment. If, however, the assessment is found to be unsatisfactory, the Minister may amend the assessment after he has notified the proponent and other interested parties of this intention and has received no adequate supplementary submissions. In order to amend the assessment, the Minister may require the proponent to do further research.</p> <p>12-13 Decisions regarding an environmental assessment may be appealed to the Environmental Assessment Board unless the Minister deems these objections frivolous.</p> <p>14 After the acceptance of the assessment, the Minister may approve the undertaking with or without conditions or reject it.</p> <p>25 The Minister may designate provincial officers to make or require such tests or inquiries as are necessary to ensure the enforcement of the Act.</p> <p>30 The Minister may, with Cabinet approval, exempt any undertaking from the application of the Act, where he is of the opinion that such exemption is in the public interest.</p> <p>41 Regulations may be made under this section to define what is meant by a major business or commercial enterprise or activity, or by a public body, or an undertaking to which the Act applies. These regulations also denote what sort of undertaking may be exempted from the provisions of the Act and what additional information should be contained in an environmental assessment.</p>
- appeal		
- exemptions		
- regulations		
	Regulation 836/76	<p>Ontario projects which require assessment as part of the planning process include: new provincial highways, sewage and water treatment plants, master plans for parks, major building complexes and electrical generating plants and transmission lines.</p> <p>Information on Environmental Assessment Act designations and exemptions appears regularly in E.A. Update, a periodical digest which may be obtained by writing to E.A. Update, Information Services Branch, Ministry of the Environment, 135 St. Clair Avenue West, Toronto.</p>
ENVIRONMENTAL ASSESSMENT BOARD	Environmental Assessment Act (Environment) Part III	<p>This Board hears appeals from decisions made under The Environmental Assessment Act, The Environmental Protection Act, and The Ontario Water Resources Act. It replaces the Environmental Appeal Board. Any decision of the Board is final unless, within a specified time, the Minister changes the decision with regard to the undertaking. The hearings of the Board are open to the public, unless the disclosure of intimate personal and financial facts causes the Board to decide to hold them <u>in camera</u>.</p>
Erosion control	see CONSERVATION (NATURAL ENVIRONMENT)	
Escarpment	see NIAGARA ESCARPMENT	
ESTATE RESIDENTIAL DEVELOPMENT		<p>A pamphlet entitled "Rural Estate Guidelines" has been produced by the Ministry of Housing and is available from the Ontario Government Bookstore for \$1.00.</p>
Esthetics	see Aesthetics	

E

Subject

Reference

Description and Notes

Exemptions from
taxation -
areas or property

see ASSESSMENT

EXPLOSIVES

Municipal Act 354(1)9-18

Council may regulate storage of inflammable or explosive substances and may prohibit the manufacture of such substances.

see also DANGEROUS
MANUFACTURES

Expressway

see HIGHWAY -

EXPROPRIATION

Municipal Act 335-338

Council may pass by-laws to expropriate land, even in another municipality, with O.M.B. approval.

Expropriations Act
(Attorney General)

Various provisions. Notice of application to expropriate must be served on the owner, who may request a hearing. The approving authority is either a council, a school board or a Minister.

9 Where appropriate, land may be expropriated for a limited period.

13 Compensation is based on market value plus any disturbance considerations, including disturbance to a tenant, and injurious affection.

- relocation
costs

18(1) The expropriating authority must pay to an owner such reasonable costs as are the natural and reasonable consequences of the expropriation, including moving costs, legal and survey costs incurred in acquiring other premises, compensation for inconvenience and an allowance for improvements not reflected in market value. Tenants may also be eligible for compensation for disturbance and the loss of a lease.

- Land Compensation
Board

26,28 A Land Compensation Board may determine the compensation to be paid if the parties cannot agree. Appeal lies to the Court of Appeal.

30(a) When a landowner agrees to the acquisition of his land by a statutory body his compensation may be determined by arbitration at the O.M.B.

Expropriation Act
(Federal: Public Works)

The federal government may expropriate land that is required by the Crown for any public purpose. Some expropriations are governed by the Railway Act. Provision is included for notice, public hearings, compensation, negotiation, etc.

see also HOUSING -;
DRAINAGE -

Subject

Reference

Description and Notes

FACTORY	Industrial Safety Act (Labour)	<p>1(f) "Factory" means a premises or place, including any land appertaining thereto, other than a premises or place where homework is done,</p> <p>(i) where any manufacturing process or assembling in connection with the manufacturing of any goods or products is carried on,</p> <p>(ii) where any form of thermal, hydraulic, electrical, aero-dynamic, kinetic, chemical, nuclear, solar or other form of energy is used to work any machinery or device, or where any form of such energy is modified in any manner in preparing, inspecting, manufacturing, finishing, repairing, warehousing, cleaning or adapting for hire or sale any substance, article or thing, or</p> <p>(iii) wherein the employer of the persons working there has the right of access and control, and wherein any manual labour is exercised by way of trade or for purposes of gain in or incidental to the making of any goods, substance, article or thing or any part thereof, or the altering, demolishing, repairing, maintaining, ornamenting, finishing, storing, cleaning, washing or adapting for sale of any goods, substance, article or thing, and includes a plant used for the maintenance of aircraft, locomotives or vehicles used for transport purposes,</p> <p>and any other building, premises, shop, workshop, structure, room or place, including any land appertaining thereto, designated by the Lieutenant Governor in Council as a factory under section 3.</p>
Family housing unit	see HOUSING -	
Farm	see HOUSING -	
FARMING	Land Speculation Tax Act 1(1)f (Revenue)	"farming" includes tillage of the soil, the breeding, raising or grazing of livestock of all kinds, the raising of poultry and the production of poultry products, fur farming, dairy farming, fruit growing, the growing of food for human consumption or for the feeding of livestock, and the keeping of bees.
Farm Consolidation and Enlargement	see RURAL DEVELOPMENT	
FENCES	<p>Municipal Act 354(1)19-24</p> <p>Snow Roads and Fences Act (10-12) (T.E.I.G.A.)</p> <p>Line Fences Act 2(1) (T.E.I.G.A.)</p> <p>Public Transportation and Highway Improvement Act 27(8)</p> <p>see also OBSTRUCTION OF VIEW; P.A. 35a(2)9</p>	<p>Council may prescribe the height and description of lawful fences. S.S. 24 refers in more detail to fences around private swimming pools.</p> <p>Council may pass by-laws requiring owners of land bordering a public highway to remove any fence that causes an accumulation of snow on any property adjoining a highway.</p> <p>Owners of adjoining lands are required to fence the boundary between them.</p> <p>The Ministry may enter on any property adjoining a highway to erect snow fences. It also has control over private fences adjoining a highway (see "Highway").</p>
FERRIES	<p>Public Transportation and Highway Improvement Act 91a</p> <p>Ferries Act (Transportation and Communications)</p>	<p>The Minister may operate a ferry service and may subsidize a municipality to operate a ferry.</p> <p>1 The Lt. Gov. may license a ferry under the Great Seal for a term of up to seven years at a time.</p> <p>5 A township, town or village council may establish, operate, license and regulate ferries, with the approval of the Lt. Gov. in council. A county council has similar power for an operation between different municipalities.</p>
Fill	see CONSERVATION (NATURAL ENVIRONMENT); LANDFILL; WASTE MANAGEMENT	
Fines	see ENFORCEMENT OF BY-LAWS -	

F

Subject

Reference

Description and Notes

FIRE MATTERS	Municipal Act 354(1)25-45	Council may prohibit or regulate various matters for fire safety, including prohibiting wooden buildings or fences and requiring buildings and yards to be put in a safe condition.
- area rate	Municipal Act 376-1	A township council may levy an area rate to meet the cost of fire protection in a defined area.
	Fire Department Act (Solicitor General)	1-10 Various provisions relating to full-time fire fighters in municipalities of more than 10,000 people.
		11 This Act prevails over municipal by-laws.
	see also DANGEROUS MANUFACTURES; BUILDING CODE; P.A. 38	
Fixed assessment	see NIAGARA ESCARPMENT; PARKWAY BELT -	
Flood control	see CONSERVATION (NATURAL ENVIRONMENT) DRAINAGE	
Flood lighting	P.A. 35a	
Floodplain	P.A. 35(1)3; see also CONSERVATION (NATURAL ENVIRONMENT)	
Footpaths	see BICYCLE AND FOOTPATHS	
FOREIGN LAND SALES	Real Estate and Business Brokers Act (Consumer and Commercial Relations)	48 In this Act, "subdivision" means improved or unimproved land divided or proposed to be divided into five or more lots or other units for the purpose of sale or lease and includes land divided or proposed to be divided into condominium units.
- subdivisions		49 No subdivision lot outside Ontario may be sold in Ontario until a prospectus has been filed with the Registrar of Real Estate and Business Brokers.
- prospectus		50 No sale or lease of an out-of-province subdivision lot may be concluded unless the purchaser has signed an acknowledgement that he has read the prospectus approved by the Registrar. Rescission of the contract may be demanded by the purchaser within 90 days, if the vendor has not obtained such an acknowledgement.
		51 A prospectus application must include financial particulars of the owners. The prescribed form of prospectus requires the provision of information on hard and soft services available as well as the physical characteristics of the land.
Forests	see WILDERNESS; WOODLANDS	
Forest road	see HIGHWAY -	
Freeway	see HIGHWAY -	
FUNERAL SERVICES ESTABLISHMENT	Funeral Services Act (Health)	1(e) "Funeral Services Establishment" means a premises established or maintained for the purpose of providing funeral services or funeral supplies to the public.
	(This Act was not proclaimed at the time of publication)	33(1)(r) Subject to cabinet approval and the Minister's prior review, the Board of Funeral Services may make regulation governing the construction, location, maintenance, etc. of funeral services establishments.
FUR FARMS	Fur Farms Act (Agriculture & Food)	1(c) "Fur farm" means premises where fur bearing animals are kept in captivity for propagation or the production of pelts for commercial purposes. 3 All fur farms must be licensed and are governed by regulations.

Subject	Reference	Description and Notes
GARAGE	Municipal Act 354(1)	124 Council may regulate the location of garages, stables, barns, outhouses and manure pits. 133 Council may limit the number of service stations and public garages.
	Highway Traffic Act 1(1)9	"garage" means every place or premises where motor vehicles are received for housing, storage or repairs for compensation.
	see also SERVICE STATION	
Garbage	see WASTE MANAGEMENT	
Garbage incinerator	see INCINERATOR	
Garbage Storage	P.A. 35a(2)10	
GASOLINE PUMP - private	Gasoline Handling Act 1(c) (Consumer and Commercial Relations)	"Consumer outlet" means any premises at which gasoline or an associated product of the operator of the outlet is put into the fuel tanks of motor vehicles used by the operator of the outlet or into portable containers used by the operator of the outlet.
	see also HIGHWAY - King's, - gas pumps; OBSTRUCTION OF VIEW	
Gasoline Station	see SERVICE STATION	
Gasoline storage	see EXPLOSIVES	
Gas works	see INDUSTRIAL NUISANCES	
Go-karts	see MOTOR VEHICLE RACING	
Golf course	see ASSESSMENT -	
Grade separation	see RAILWAY GRADE SEPARATION	
Grading	P.A. 35a(2)6	
Gravel pit	see PITS AND QUARRIES	

Subject

Reference

Description and Notes

HARBOURS

Government Harbours and
Piers Act (Transport
Canada)

Harbour Commissions Act
(Transport Canada)

- 3 This Act does not apply to any harbour under the control of the National Harbours Board or of any commissioners appointed by Parliament (Toronto, Hamilton etc.)
- 4 The Act applies to the use, maintenance and ordinary repairs of all other Federal harbours, wharfs, piers and breakwaters.
- 3 This Act provides for the establishment of harbour commissions for any harbour not named in the National Harbours Act or for which a harbour commission has not otherwise been established by Parliament.
- 4 The proclamation establishing a harbour commission must define the limits of the harbour.
- 9 A commission "shall regulate and control the use and development of all land, buildings and other property within the limits of the harbour, and all docks, wharfs and equipment erected or used in connection therewith."
- 13,19 A Commission may make by-laws regulating or prohibiting the construction of buildings or other structures, and may expropriate land.

In a recent Ontario Supreme Court decision respecting Hamilton Harbour, the Court ruled that the authority of the Harbour Commission to regulate land use was restricted to navigation and shipping purposes. Lands within the harbour limits not intended for navigation and shipping uses are subject to municipal land use regulation. (E.g. industrial lands).

HAZARD LAND

P.A. 2(7), 33(4)(5),
35(3)

An official plan must have regard to the requirements of the planning area for drainage...; a plan of subdivision must be reviewed with regard to conservation of natural resources and flooding; and a zoning by-law may prohibit the erection of buildings or structures on land subject to flooding or of unstable character.

see also CONSERVATION
(NATURAL ENVIRONMENT)

HEALTH AND SOCIAL
SERVICE INSTITUTIONS
- charitable
institution

Charitable Institutions
Act (Community and
Social Services)

- 1(c) "Charitable Institution" means all or any part of a building or buildings maintained and operated by an approved corporation for persons requiring residential, sheltered, specialized or group care, but does not include...(a list follows of institutions governed by their own Acts).
- (e) "Hostel" means a charitable institution for the temporary care of transient or homeless persons.
- 4 All charitable institutions must be approved by Cabinet.
- 5,6 Grants may be made by the Minister to an institution or hostel for building purposes and for acquiring buildings.
- 7 Maintenance grants equal to 80% or more of the cost may be paid to charitable institutions.
- 10 Cabinet may make regulations governing charitable institutions.

- children's
boarding home

Children's Boarding Home
Act (Community and
Social Services)

- 1(b) "Children's Boarding Home" means a premises in which five or more children not of common parentage reside away from the home of their parents or guardians primarily for the purpose of receiving lodging, boarding, or care but does not include...(a list follows of institutions governed by their own Acts).

- children's
institution

Children's Institutions
Act (Community and
Social Services)

- 1(d) "Children's Institution" means a building or buildings maintained and operated by an approved corporation for children and other persons requiring sheltered, specialized or group care, but does not include...(a list follows of institutions governed by their own Acts).
- 4 All children's institutions must be approved by Cabinet. Grants may be made by Cabinet to children's institutions.
- 5,6 Grants may be made by the Minister to a children's institution.
- 7 Maintenance grants equal to 80% or more of the cost may be paid to children's institutions.

Subject

Reference

Description and Notes

HEALTH AND SOCIAL
SERVICE INSTITUTIONS
(CONT'D)

- children's mental health centre	Children's Mental Health Centres Act (Health)	<p>10 Cabinet may make regulations governing children's institutions.</p> <p>1 (b) "Children's Mental Health Centre" or "centre" means premises, facilities and services provided for children suffering from mental or emotional disorders and designated as such by the regulations.</p> <p>3,4 The Minister with Cabinet approval may establish and operate children's mental health centres. All other persons must obtain a licence from the Ministry to operate a centre.</p> <p>21 Cabinet may make regulations governing children's mental health centres.</p>
- children's mental hospital	Children's Mental Hospitals Act (Health)	<p>1 (b) "Hospital Under This Act" means a hospital for the care and treatment of children suffering from emotional or psychiatric disorders that has been established or designated as a hospital under this Act.</p> <p>8 A children's mental hospital is not subject to taxation for municipal or provincial purposes.</p> <p>9 Cabinet may make regulations governing children's mental hospitals.</p>
- community psychiatric hospital	Community Psychiatric Hospitals Act (Health)	<p>3 Cabinet may establish hospitals for the care of persons suffering from emotional or psychiatric disorders and any part of any institution may be approved as a community psychiatric hospital.</p> <p>7 A community psychiatric hospital is not subject to assessment or taxation for municipal or provincial purposes.</p> <p>9 Cabinet may make regulations governing community psychiatric hospitals.</p>
- day nursery	Day Nurseries Act (Community and Social Services)	<p>1 (e) "Day nursery" means a place that receives, primarily for the purpose of temporary care and custody, for a continuous period not exceeding twenty-four hours, more than five children, not of common parentage, who are,</p> <p>(i) under eighteen years of age in the case of a day nursery for retarded children, and</p> <p>(ii) under ten years in all other cases, and that is not,</p> <p>(iii) part of a public school under The Public Schools Act,</p> <p>(iv) part of a separate school under The Separate Schools Act,</p> <p>(v) part of a private school registered under The Department of Education Act,</p> <p>(vi) a children's mental health centre under The Children's Mental Health Centre Act,</p> <p>(vii) a school for trainable retarded children under The Secondary Schools and Boards of Education Act; or</p> <p>(viii) a place that is used for a program of recreation and that is supervised by a municipal recreation director who holds a certificate issued pursuant to section 6b of The Ministry of Community and Social Services Act.</p> <p>2,2a A municipal council may establish day nurseries and may grant aid to day nurseries. The Minister may establish day nurseries in areas without municipal organization.</p>
- home for retarded persons	Homes for Retarded Persons Act (Community and Social Services)	<p>1 (d) "Home for Retarded Persons" means all or any part of a building maintained and operated by an approved corporation for the residential accommodation of retarded persons, but does not include... (a list follows of institutions governed by their own Acts).</p>
- home for special care	Homes for Special Care Act (Health)	<p>1 (a) "Home for Special Care" means a home for the care of persons requiring nursing, residential or sheltered care.</p>
- home for the aged	Homes for the Aged and Rest Homes Act (Community and Social Services)	<p>1 (c) "Home" means a home for the aged established or maintained under this Act or a rest home established and maintained under this Act.</p>
- Indian Band	Homes for the Aged and Rest Homes Act (Community and Social Services)	<p>5 The Council of a band may:</p> <p>(a) establish and maintain a home; or</p> <p>(b) enter into an agreement with the councils of one or more other bands to establish and maintain a joint home, with the approval in writing of the Minister.</p>

Subject

Reference

Description and Notes

HEALTH AND SOCIAL
SERVICE INSTITUTIONS
(CONT'D)

- mental hospital

Mental Hospitals Act
(Health)

1(a) "Approved Home" means a home to which patients may be released from an institution in the manner provided by this Act and the regulations.

1(e) "Institution" means an institution under this Act, and includes every approved home connected therewith.

2 This Act applies to such institutions as are designated from time to time by the regulations.

- private hospital

Private Hospitals Act
(Health)

1(d) "House" means a building or other structure, whether permanent or temporary, intended for human habitation and, where two or more houses are situate on adjacent pieces of land and are occupied by the same person, they shall be deemed to constitute a single house for the purpose of this Act.

1(i) "Private Hospital" means a house in which four or more patients are or may be admitted for treatment, other than,

- (i) a hospital or other establishment or institution supported in whole or in part by provincial aid,
- (ii) an institution in respect of which a licence under The Private Sanitaria Act is in force,
- (iii) an institution for the reclamation and cure of habitual drunkards established under The Municipal Act,
- (iv) a house registered under The Maternity Boarding Houses Act,
- (v) a lodging house licensed under a municipal by-law.

18 No structural alteration or addition may be made to a private hospital until a plan of the proposed alteration or addition has been approved by the Ontario Hospital Services Commission.

- public hospital

Public Hospitals Act
(Health)

1(f) "Hospital" means any institution, building or other premises or place established for the treatment of persons afflicted with or suffering from sickness, disease or injury, or for the treatment of convalescent or chronically ill persons that is approved under this Act as a public hospital.

4 No hospital may be established without Cabinet approval. No addition may be made to a hospital without the approval of the Minister.

- nursing home

Nursing Homes Act
(Health)

1(f) "Nursing Home" means any premises maintained and operated for persons requiring nursing care.

3 No person may establish a nursing home or use the term "a licensed nursing home" unless it is licensed under this Act.

- sanitarium

Private Sanitaria Act
(Health)

1(g) "Sanitarium" means an institution for the care and treatment of mental and nervous illnesses that is licensed under this Act.

- sanatorium

Sanatoria for Consump-
tives Act (Health)

1(n) "Sanatorium" means any sanatorium, institution, building or other premises or place, howsoever created, established or incorporated for the treatment of patients.

2 No sanatorium may be established without Cabinet approval.

5 A county or other municipal corporation may establish a sanatorium but must obtain Cabinet approval.

23 A sanatorium is exempt from taxation, except for a public utility tax.

22,25 A sanatorium has power of expropriation and may not be expropriated without Cabinet approval.

Health unit

see PUBLIC HEALTH -

Heritage conservation
districtssee CONSERVATION
(CULTURAL) -

Subject

Reference

Description and Notes

HIGHWAY	Municipal Act 443-452	This deals with road widening, diversions, closings, openings, etc. and prohibition of vehicular traffic or pedestrian traffic. No highway less than 66 feet in width may be laid out by council without the approval of the Minister of Housing. (450)
	A booklet entitled "Public Road Allowances - an Explanatory Guide - line" is available from the Operations & Development Control Branch, Ministry of Housing (July/76)	
	Public Transportation & Highway Improvement Act	1 "Highway" means a common or public highway, or any part thereof, and includes a street, bridge or any other structure incidental thereto and any part thereof. "Road" has the same meaning as highway and "roadway" means the part of the road designed for vehicular traffic.
- King's Highway		28 Access to a King's Highway is controlled through a permit issued by the Minister.
		31 The Minister has control over the erection of buildings, gasoline pumps, fences, trees, etc. within 150 feet of any King's Highway and within 600 of any intersection. No shopping centre, stadium, drive-in theatre, etc. may be established within a quarter mile, except by permit from the Minister.
- connecting link		19 Any road deemed by the Minister to be a connecting link between parts of the King's Highway system may be so designated and the Minister may enter into agreement for the construction and maintenance of these connecting links by a municipality or by the Ministry. The proportion of the cost met by the Province varies from 75% to 100%.
- controlled access highway		33,34 Designation as a controlled access highway permits the Minister to close any intersecting road and to control all private access. Similar control exists over buildings, signs, shopping centres, etc. as for a King's Highway, but the distance from an intersection is increased from 600 feet to 1300 feet.
- controlled access road		88-90 A municipality may, with the approval of the Minister and the O.M.B., designate a controlled access road and close intersecting roads and restrict access.
- secondary highway		37 All the provisions applying to a King's Highway apply also to a secondary highway.
- tertiary road		38 An existing road in unorganized territory may be designated as a tertiary road, whereupon all regulations for King's Highway apply, except sections 30 and 31. M.T.C. maintains these roads but need not clear snow and is not liable for damage.
- resource road		39 A tertiary road may be designated as a resource road. As a result certain load limits and other provisions of the Highway Traffic Act do not apply.
- industrial road		40 A private road used for lumbering, pulp or mining operations and also by the public may be designated as an industrial road. The Minister and the owner may enter into an agreement re maintenance.
- county road		41-59 Various provisions relating to the establishment and maintenance of a county road system, including bridges. A county is not liable for sidewalks.
- zoning		60 A county has, with respect to land within 150 feet of a county road, all the power conferred on a local municipality by Section 35 of The Planning Act. Such county by-law would take precedence over a local by-law in case of conflict.
- gas pumps, signs		61 A county may prohibit or regulate (and provide for the issuance of permits for) gas pumps within 150 feet and advertising signs within a quarter mile of a county road. (See also "Obstruction of view")

Subject

Reference

Description and Notes

HIGHWAY (CONT'D)

- suburban road

63-69 Certain county roads may be designated as suburban roads. Cities and separated towns contribute to their construction and maintenance and are represented on the suburban roads commission. Suburban roads continue to be county roads.

- township road

70-75 Various provisions relating to grants, cost sharing with a neighbouring town, etc.

76 A township council may levy a higher road rate upon suburban or resort subdivisions than upon the rest of the township. (With the Minister's approval)

- city, town, village road

77-84 Various provisions relating mainly to subsidies.

- district, metropolitan, or regional road

84a-84d Various provisions relating mainly to subsidies.

- development road

85 If the traffic load on a township road requires greater expense than the municipality can afford, the Minister may designate it a development road and subsidize it. The same applies to a road in a territorial district under town or village jurisdiction.

- expressway

91(a) "Expressway" means a divided arterial highway that is accessible only from intersecting arterial streets at intersections at grade that have been approved by the Minister and, where required by the volume of traffic, at grade separated interchanges that have been approved by the Minister.

- freeway

91(b) "Freeway" means a divided arterial highway that is accessible only from intersecting arterial streets at grade separated interchanges that have been approved by the Minister.

- forest road

Public Lands Act
(Natural Resources)

50-57 Private and public forest roads on public lands are defined. The right-of-passage over these roads is also defined and Ministerial agreements to secure public right-of-passage on private forest roads are also explained.

- use of space over or under a highway

Municipal Act 453(3a)

Council may make agreements for pedestrian walkways over or under a highway.

Public Transportation
& Highway Improvement
Act 2(3)

The Minister may authorize the use of space over or under a highway under the jurisdiction of his ministry.

- leasing use of untraveller portions

Municipal Act 454

Council may lease or license the use of untravelled portions of highways under their jurisdiction to the owners of abutting commercial or industrial land; the use of that land may be controlled for parking or other purposes.

see also ROAD...",
OBSTRUCTION OF VIEW;
BICYCLE AND FOOTPATH

Historic
conservation

see CONSERVATION
(CULTURAL)

HISTORICAL PARK

Tourism Act 10, 11
(Industry & Tourism)

Cabinet may set apart as an historical park any area of Ontario in which there is an object, site or land of historical significance. The Minister is responsible for the development, control and management of historical parks.

HOLIDAY CLOSINGS
FOR RETAIL BUSINESSES

Holiday Closings for
Retail Businesses Act
(Solicitor General)

This Act establishes certain holidays on which retail businesses are to be closed. The exceptions include small grocery stores, milk stores, news and tobacco stands, drug stores, antique shops, flower shops, service stations and others permitted by the Lord's Day Act (Canada) and the Lord's Day Act (Ontario).

5(i) Where it is essential for the maintenance or development of a tourist industry, the council of a municipality may by by-law provide that section 2 (enforcing the retail closings) does not apply.

Subject	Reference	Description and Notes
HOLIDAY CLOSINGS FOR RETAIL BUSINESSES (CONT'D)		6 A by-law or regulation made under sections 4 or 5 (exempting certain businesses) may classify retail business establishments by size, number of persons employed, character of business, location or any other criterion.
Home for Retarded Person Home for Special Care Home for the Aged	see HEALTH AND SOCIAL SERVICE INSTITUTIONS	
Home Improvement loans	see HOUSING -	
HOME OCCUPATION	Industrial Safety Act (Labour)	1(g) "Homework" means the doing of any work in the manufacture, preparation, improvement, repair, alteration, assembly or completion of any article or thing or any part thereof by a person for wages in premises occupied primarily as living accommodation, and "homeworker" has a corresponding meaning.
Home ownership loans	see HOUSING -	
Home renovation	see HOUSING - rehabilitation, conversion	
Hospital	see HEALTH AND SOCIAL SERVICE INSTITUTIONS - mental hospital - private hospital - public hospital	
Hostel	see HEALTH AND SOCIAL SERVICE INSTITUTIONS - charitable institution	
HOTEL	Hotel Fire Safety Act (Solicitor General)	1(b) "Hotel" means an establishment consisting of one building or two or more connected or adjacent buildings that provides sleeping accommodation for the public and is licensed or required to be licensed under The Department of Tourism and Information Act or The Liquor Licence Act, but does not include a one storey building that, (i) has a total floor area of less than 3,000 square feet, (ii) is not attached to any other building, and (iii) is at least thirty feet distant from any other building that is a hotel within the meaning of this clause. 1(g) "Storey" means that part of a building between the top of a floor and the top of the next floor above it, or if there is no floor above it, that part between the top of a floor and the ceiling above it, but does not include a penthouse that is not used by the public, and the storey closest to grade having its ceiling more than six feet above grade shall be deemed to be the first storey. 9 The interior and exterior finish materials of every hotel must meet the standards prescribed by the regulations made under this Act. 19 Regulations under this Act may govern, among other matters, the construction and alteration of hotels. 20 Where conflict exists between any regulation made under this Act and any municipal by-law, the regulation prevails. Information on housing programs may be found in the "OHRP Administration Guide" and "Housing Programs in Ontario" prepared by the Ministry of Housing and "Federal Housing Programs" prepared by M.S.U.A.
HOUSING - programs	Housing Development Act (Housing)	1 "Building development" and "building development corporation" are defined. 2 Cabinet may guarantee loans, advance money, etc. for building development, for the acquisition and rehabilitation of housing units and for urban renewal. Provision is made for financial assistance for rent supplements, mortgages, etc. 3 The Minister may make grants in aid of housing studies and research.
- OHRP - rent supplement		
- research		

H

Subject

Reference

Description and Notes

HOUSING (CONT'D)

- joint projects		5,6,8 Municipalities, the province and the federal government may co-operate in joint housing projects. A housing corporation may carry out and manage a housing project.
- expropriation		7 The Minister may expropriate land for a housing project.
- publicly leased housing		9 Privately-owned housing may be leased by a corporation for low income families.
- municipal projects		16 If there is an official plan in effect in a municipality that includes provisions relating to the provision of housing, which provisions have been approved by the Minister subsequent to the coming into force of this section, or if the council of a municipality has adopted a policy statement containing provisions relating to the provision of housing, which statement has been approved by the Minister, the council of the municipality may,
- Municipal Housing Policy Statement		(a) acquire and hold land, with or without buildings thereon within the municipality for the purpose of a housing project;
		(b) survey, clear, grade, subdivide, service and otherwise prepare such land for the purpose of the project; and
		(c) sell, lease or otherwise dispose of such land for a nominal or other consideration for housing purposes.
- adjoining land		17(b) A municipality may enter into an agreement with any person or governmental authority undertaking a housing project to provide that certain specified uses of land are maintained adjoining the project for a specified period.
- temporary projects		18 In an emergency, a municipality may erect temporary housing accommodation.
- family housing unit	National Housing Act (M.S.U.A.)	2 "Family housing unit" means a unit providing therein living, sleeping, eating, food preparation and sanitary facilities for one family, with or without other essential facilities shared with other family housing units.
- farm		"Farm" means land used for any tillage of the soil, including livestock raising, dairying and fruit growing.
- house		"House" means a building, together with the land upon which it is situated, intended for human habitation comprising not more than two family housing units.
- multiple-family dwelling		"Multiple-family dwelling" means a building containing three or more family housing units.
- one-family dwelling		"One-family dwelling" means a house consisting of one family housing unit not attached to or forming part of any other house.
- semi-detached dwelling		"Semi-detached dwelling" means a family housing unit joined by a common or party wall to one other family housing unit.
- mortgages	Part I	5-12 Part I deals with insured mortgage loans.
- rental housing	Part II	13 C.M.H.C. may contract with builders to guarantee rentals from low income housing of over 7 units.
		14 Rental housing projects may be financed to 85% of their cost.
- low rental housing		15 Low rental housing projects may be financed by C.M.H.C. loans for up to 95% of the lending value of the project.
- non-profit or community sponsored housing		15.1 For charitable, co-operative or municipally-owned projects, the maximum loan may be 100% of the lending value of the project.
		16 C.M.H.C. may make loans for low or moderate cost housing in connection with mining, lumbering or fishing.
- urban renewal	Part III	22-25.1 Funds have been cut off. See URBAN RENEWAL.
- neighbourhood improvement	Part III.1	27.1 C.M.H.C. may make loans for improving the amenities of neighbourhoods and the housing and living conditions of the residents. A detailed description is given of the condition under which an agreement may be made for a loan.

Subject

Reference

Description and Notes

HOUSING (CONT'D)

		27.2 The maximum C.M.H.C. contribution is 50% of the cost of most of the improvements, but only 25% of the cost of improving municipal or utility services.
		27.3 C.M.H.C. may also help finance small-scale site clearance outside neighbourhood improvement areas for housing or recreational or social facilities.
		27.5 Loans may also be made to the municipality.
		27.7 No applications may be approved under this part after March 31, 1978.
	see also P.A. 22-24, 36-37	(N.B. The province may also participate financially through its NIP program).
- home improvement loans	Part IV	28-33 C.M.H.C. may guarantee bank loans for home improvement.
- rehabilitation and conversion		34.1 Loans may be made to the owners of family housing units for improvement and rehabilitation, but only in areas where standards of maintenance and occupancy have been adopted. Loans may also be made to non-profit corporations to convert dwellings to multiple occupancy, hostels, etc.
- home ownership loans		34.15 Loans may also be made to assist in the construction or acquisition of houses or condominium units by individuals.
- assisted home ownership program (A.H.O.P.)		34.16 Where loans are made under this Part or are made by a province to aid in the acquisition or construction of housing, the Corporation may make annual contributions to the repayment of the loan or the payment of the interest or taxes.
- interest subsidy		56.1 C.M.H.C. may subsidize eligible borrowers by subsidizing the interest paid on loans under the Act.
- co-operative housing		34.18 Loans or contributions may be made to assist co-operative housing associations.
- research, etc.	Part V	35 C.M.H.C. is responsible for research into housing conditions, for the promotion of improved housing and for encouraging the adoption of community plans. Grants are available under the community organization program.
		36,37 More specific descriptions of C.M.H.C. powers and responsibilities.
- public housing	Part VI	40 C.M.H.C. may undertake public housing projects jointly with any provincial agency.
		42-43 C.M.H.C. may make loans to public housing agencies to acquire and service land for housing purposes, and to build or acquire public housing (Maximum 90%).
		44 C.M.H.C. may make contributions to subsidize housing accommodation for persons of low income.
- new communities	Part VII.1	45.1 See NEW COMMUNITIES.
- student housing	Part VII	47 C.M.H.C. may make loans to a municipality, provincial agency, hospital, school board, university, co-operative association or charitable corporation for student housing projects (Maximum 90%).
- water and sewerage projects	Part VIII	50 see WATERWORKS; SEWERAGE.
- rural housing mortgages	Rural Housing Assistance Act (Housing)	1 The Rural Housing Finance Corporation exists to invest mortgage money for the assistance of housing construction in rural villages, hamlets and other rural areas.
- elderly persons	Elderly Persons Housing Aid Act (Housing)	1 The Minister may make grants to assist projects of low rental housing for the elderly.
		2 The maximum amount of such grant is the lesser of \$500 per unit or 50% of the capital cost not financed under the National Housing Act.
- Ministry of Housing	Ministry of Housing Act	This Act describes the Ministry and its duties and objectives in broad terms.

(Cont'd)

Subject

Reference

Description and Notes

HOUSING (CONT'D)

- production incentives (O.H.A.P.)

National Housing Act
(Federal - M.S.U.A.)

see also HOUSING -
programs

- Ontario Housing Corporation

Ontario Housing Corporation Act

- warranty for new homes

Ontario New Home Warranties Plan Act
(Consumer and Commercial Relations)

- veterans'

see HOUSING - National Housing Act, sec. 15.1, 34.15, 34.16; VETERANS' LAND

HYDRO-ELECTRIC POWER

Power Corporation Act
(Energy)

- entry on private property

- area rate

- underground wiring

Rural Hydro-Electric Distribution Act
(Energy)

- 7(a) The Minister, with Cabinet approval, may take such measures as he considers appropriate to implement the objectives of the Ministry described in Section 7 of the Act, including entering into agreements with municipalities for projects under the Ontario Housing Action Program.

- 56.2 For the purpose of encouraging medium density family housing, C.M.H.C. may pay \$1000 per unit to a municipality for completed development for which a building permit was issued between November 1, 1975 and December 31, 1978. (Municipal Incentive Grants Program).

- 6,7 The Corporation may acquire and hold real property, make loans, enter into agreements and carry out projects.

- 6 No person shall act as a vendor or a builder unless he is registered by the registrar under this Act.

- 13 Provisions are made for the establishment of a plan to warranty new homes in Ontario. The term of the warranty and specification of when it does not apply are also included.

- 58 This Act describes the authority and function of Ontario Hydro, in general terms (58), and more specifically:

- 24(1) Ontario Hydro may be authorized by Cabinet to acquire or flood any land, if necessary without the owner's consent; and to divert any watercourse.

- 33(2) Ontario Hydro may enter upon land adjoining a power right of way to remove obstructions.

- 64,73 Municipal agents may enter on private property without the owner's consent to erect transmission lines and to interrupt or decrease delivery of power.

- 68 A Township Council may, with Ontario Hydro approval, distribute power in the whole municipality or in part of it, and may establish a Hydro-Electric Commission.

- 83 A Township Council may contract with Ontario Hydro for street lighting and may establish an area rate.

- 84 All of Ontario not forming part of an area with a Hydro contract is deemed to form one rural power district, wherein the Corporation supplies power directly.

- 105-107 Ontario Hydro may direct that all telegraph, telephone and hydro wires be placed underground in cities and towns.

- 1,2 Grants of up to 50% may be made to municipalities or commissions supplying power to areas in a rural power district or to an adjoining township.

Subject

Reference

Description and Notes

IMPOSTS	Municipal Act 309	Contributions received by municipalities in connection with a subdivision may only be used for expenditures benefitting the occupiers of that subdivision. If not required or not likely to be required for the above purpose, however, the contributions may be expended for some other purpose.
	Municipal Act 359	With O.M.B. approval, Council may impose a special charge on classes of buildings that may impose a heavy load on the sewer or water system. These charges are a lien against the property.
IMPROVED LAND	Municipal Affairs Act 27(a)	"Improved land" means a parcel of land separately assessed that has a building thereon, and includes any land in actual use for agricultural purposes, although there is no building thereon.
IMPROVEMENT AREA FOR BEAUTIFICATION OF SHOPPING AREA	Municipal Act 361	Council may designate an Improvement Area and establish a Board of Management to beautify municipally owned lands, buildings and structures in an area for the purpose of promoting the area as a shopping area. The cost is charged to owners in the area.
IMPROVEMENT DISTRICT	Municipal Act 10(2), 11, 501-503	A municipal entity like a township or village but with a 3 person Board of Trustees appointed by Cabinet instead of an elected council.
	Municipal Affairs Act Part III	An improvement district is under the direct supervision of the Ministry of Treasury, Economics and Intergovernmental Affairs.
INCINERATORS	Municipal Act 354(1)45	Council may prohibit garbage incinerators in any class of buildings erected after September 1, 1966.
	Waste Management Act Regulation 11	Regulation 11 relates to standards of location and operation.
INDEX OF MUNICIPAL BY-LAWS	Municipal Act 216	The clerk of every municipality must keep an index book of every zoning by-law and every other by-law that affects land without directly affecting title of land.
Indian Band - home for the aged	see HEALTH AND SOCIAL SERVICE INSTITUTIONS - home for the aged	
Industrial Building	see FACTORY	
INDUSTRIAL NUISANCES	Municipal Act 354(1)114	Council may regulate potentially noxious trades and may prohibit or regulate tanneries, gas works, distilleries or other manufactories that may cause a nuisance.
	Public Health Act 97	Consent of the local board or the municipal council must be obtained for the establishment of any of the following trades: blood boiling, bone boiling, refining coal oil, extracting oil from fish, storing hides, soap boiling, tallow boiling, tripe boiling, slaughtering animals, tanning hides or skins, manufacturing gas, manufacturing glue, manufacturing fertilizer from dead animals or from human or animal waste, or any other trade that is or may become offensive. Provision is made for fine of up to \$250, plus \$20 per day.
Industrial Park	see INDUSTRIAL SITES	
Industrial roads	see HIGHWAY -	
Industrial sewage disposal	see SEWERAGE	
INDUSTRIAL SITES	Municipal Act 354(1)50	Council may acquire and expropriate land for industrial sites and may sell or lease it for industrial use.
	Ontario Development Corporation Act 8	In some slow-growth areas, loans may be available from the Ministry of Industry and Tourism to assist municipalities in acquiring and servicing industrial land.
Industrial waste	see WASTE MANAGEMENT	
INHIBITING ORDER	Land Titles Act 26 (Consumer and Commercial Relations)	The Supreme Court, the director of titles or the proper master of titles may issue an order or make an entry inhibiting any dealing with registered land until the occurrence of a named event or a further order. Upon application, the court or the director or master of titles would normally make enquiries and notify such persons as considered necessary before issuing an order or making an entry.

Subject

Reference

Description and Notes

Joint planning area

P.A. 2

JUDGE'S ORDER

Registry Act 86
(Consumer and Commercial
Relations)

Upon the application of a municipality, a county or district court judge may cancel in whole or in part any registered plan, or may close or divert a road on a registered plan, impose terms and conditions, etc.

No part of any road or lane may be closed or diverted without the written consent of the owner of the abutting lot(s). No order may be made to amend a plan approved under Section 33 of The Planning Act without the prior consent of the Minister responsible for The Planning Act.

JUDGE'S PLAN

Registry Act 90
(Consumer & Commercial
Relations)

Where parts of lots or other designated areas shown by a registered plan have been conveyed or where other land has been conveyed by metes and bounds description or other manner without a plan of subdivision having been registered, the Director of Land Registration (normally acting at the request of a municipality) may apply to a judge of the proper County or District Court for an order to have the land laid out into lots. A draft plan is prepared from actual survey by a surveyor and in accordance with the records of the Registry Office, and upon giving notice to all interested persons and upon making any necessary amendments, the judge may order that the plan be registered as a "Judge's Plan". Any future dealings may not be registered unless they refer to this plan. In the interim, the Director of Land Registration may issue a "restraining order" whereupon no conveyance dealing with the land in the area may be registered until after the registration of the Judge's Plan.

see also MUNICIPAL PLAN,
REGISTRAR'S COMPILED
PLAN, REFERENCE PLAN

Land Titles Act 162
and 171(2)
(Consumer & Commercial
Relations)

The Land Titles Act, R.S.O. 1970 Section 162 has not been used for some years - Boundary problems are now handled under The Boundaries Act.

JUNK YARDS

Municipal Act 354(1)117

All severances must be by plans under Land Titles.

Council may prohibit, regulate and inspect motor vehicle wrecking yards.

Municipal Act 378

Council may license and regulate salvage yards, junk dealers, car wreckers, etc.

Subject

Reference

Description and Notes

LAKES AND RIVERS

Lakes & Rivers Improvement Act
(Natural Resources)

Much of this Act referred originally to the floating of timber. Since 1971, its purpose has been broadened and is described as being to provide for the use of waters of the lakes and rivers of Ontario and to regulate improvements in them, and to provide for:

- (a) the preservation and equitable exercise of public rights in or over such waters;
- (b) the protection of the interests of the riparian owners;
- (c) the use, management and perpetuation of the fish, wildlife and other natural resources dependent on such waters;
- (d) the preservation of the natural amenities of such waters and on the shores and banks thereof; and
- (e) ensuring the suitability of the location and nature of improvements in such waters, including their efficient and safe maintenance and operation and having regard to matters referred to in clauses a,b,c, and d, their operation in a reasonable manner.

2 The Cabinet may make regulations respecting the use of lakes and rivers and waters therein. The maximum fine is \$5,000.

- dams
- aesthetics
- pollution from a mill
- water privilege

10-25 No dam may be built without approval from the Minister, except in emergency. Various provisions relate to dam repairs, etc.

34 The Minister may order the removal of any tree, refuse, substance or matter deposited in a lake or river in a manner as in his opinion impairs the natural beauty of the water body.

36 The throwing of any refuse, sawdust, chemical, substance or matter from any mill into a lake or river, or on the shore or banks thereof, is prohibited. Provision is made for fines of not less than \$50 per day.

88 "Occupied water privilege" means a mill privilege, or water power, that has been or is in use for mechanical, manufacturing, milling or hydraulic purposes, or for the use of which for any such purposes the necessary works are bonafide in course of construction.

Land Assembly

see HOUSING - municipal projects; INDUSTRIAL SITES; P.A. 21, 22(3); EXPROPRIATION

Land Compensation Board

see EXPROPRIATION -

Land Division Committee

P.A. 30

LAND REGISTRATION

Registry Act and Land Titles Act (Consumer and Commercial Relations)

There are two land registration systems in Ontario: the Registry system and the Land Titles system. The fundamental purposes of both systems are to give public notice of interests which are claimed in land, to establish priorities between claimants to land, and to provide an orderly method of recording and of registers where title can be searched.

The Registry System is a registry of documents affecting the title of land or an indexed filing system for real property. It ensures that most outstanding interests will be shown on the abstract but a purchaser must still satisfy himself by title search of the legal effect of the registered instruments. Almost any document purporting to affect the title of land may be accepted for registration in a registry office, provided it complies with certain formalities regarding execution, affidavits and description.

The Land Titles System is a true register of titles, which authoritatively establishes title. No transfer is effective until recorded but, once this is done, it cannot, apart from fraud, be upset. The title is guaranteed by the Province, backed by an Assurance fund, and no one can acquire rights through mere possession or use of the land. The types of documents acceptable for registration are few in number and must be in the form prescribed by the Act.

Subject

Reference

Description and Notes

LAND REGISTRATION
(CONT'D)

There is no rule of general application by which it can be determined if a parcel is under one system or the other. The Registry system is the older and originally applied to the entire province. Nearly all of Northern Ontario is under the Land Titles System, which was introduced in 1875 when very little development had occurred in the north. In Southern Ontario, land becomes subject to Land Titles by the voluntary act of the owner in applying to the land registrar for registration under that Act. Subdivision of land by registered plan is virtually the same under the two systems. If part of a lot or block is being conveyed, only under Land Titles must an affidavit be filed showing compliance with Section 29 of The Planning Act.

LANDFILL

Environmental Protection Act
Regulation 824 as amended

1.20 "Landfilling" means the disposal of waste by deposit, under controlled conditions, on land or on land covered by water, and includes compaction of the waste into a cell and covering the waste with cover materials at regular intervals.

1.8 "Dump" means a waste disposal site where waste is deposited without cover material being applied at regular intervals.

see also WASTE
MANAGEMENT - standards

Landscaping

P.A. 35a

LANDS IN TAX ARREARS

Municipal Affairs Act 47
(T.E.I.G.A.)

Where any part of taxes are unpaid, property may be taken over by the municipality after one year (for vacant land) or three years (for improved land).

LAND SPECULATION TAX

Land Speculation Tax Act
(Revenue)

2 A speculation tax has been imposed on land sales, at a rate of 20% of the taxable value. Taxable value is the difference between "adjusted value" and "proceeds of disposition". Adjusted value may be fair market value at acquisition, or some equivalent definition depending on the circumstances. A number of exemptions are cited: tourist resorts, commercial and industrial properties, principal recreational property not over 20 acres, lands taken under statutory authority, farms sold to a family member and municipal lands are among the properties that may be exempt.

21 The tax may be postponed when land is being sold for subdivision. It is then paid by the builder when the lots are sold.

Land use conditions

see PUBLIC LANDS - sale
or lease

Land value

see ASSESSMENT

LEASING OF LAND

Municipal Act 336(2)

Council may lease any land it has acquired.

see also PUBLIC LANDS -
sale or lease

Leasing of portion
of highway

see HIGHWAY -

Levies (lot levies)

see IMPOSTS

Licence of occupation

see PUBLIC LANDS -;
PROVINCIAL PARKS

LITTER

Municipal Act 460(5)

Council may prohibit the throwing of paper, handbills, dirt, glass or other refuse on any road.

Municipal Act 354(1)70

Council may prohibit littering of private or public property.

Environmental Protection
Act 63-68 and 3(a), 3(h)

3 No person may abandon any material likely to become litter. Provision is made for fines of up to \$100 for a first offense and \$1000 subsequently.

Livestock barns

see AGRICULTURAL POLLUTION

Loading Space

P.A. 35(1)5

Local architectural
committee

see CONSERVATION (CULTURAL) -
local architectural advisory
committee

Subject	Reference	Description and Notes
Local board of health	see PUBLIC HEALTH -	
LOCAL IMPROVEMENTS	Local Improvement Act (T.E.I.G.A.)	<p>1.25 "street" includes a lane, alley, park, square, public drive and public place, or a part of any of them.</p> <p>2 Works that may be undertaken as local improvements include: street widening and improving, incl. sidewalks, boulevards, sodding, planting, etc.; bridges, sewers, watermains, extensions of gas, light, heat or power works, parks up to 2 acres, shore protection works and retaining walls.</p> <p>64 Ordinary maintenance is not included but street cleaning, snow clearing, grass cutting, etc. may be charged on a frontage basis.</p> <p>67 A township or village may also construct waterworks, sewerage works and street lighting works.</p> <p>6 For works over \$50,000 O.M.B. approval is required if someone objects to the work. Costs may be borne by the entire municipality or by a section thereof or may be shared between the municipality and/or a section thereof, and the lots abutting the work.</p> <p>7 Local improvements may be undertaken on petition, on council initiative ("the initiative plan") or on the recommendation of the Minister of Health. Alternatively, council may proceed without petition, but with O.M.B. approval, for certain works.</p> <p>12 Owners may petition against a council initiative. Majority opposition may kill a project for at least 2 years.</p> <p>20 Except as otherwise provided, costs are assessed to abutting lots on a frontage basis.</p> <p>21-52 Various procedures for distributing costs of local improvements are described.</p> <p>70 Council may adopt the local improvement system by by-law and thereafter certain works may only be undertaken as local improvements.</p>
	see also SIDEWALKS -	
LOCAL ROADS BOARD	Local Roads Board Act (Transportation and Communications)	<p>2 This Act applies only in territory without municipal organization.</p> <p>7 Ten or more owners of land in an area may call a meeting to consider the establishment of a local roads area. The Minister may establish the area upon petition from such a meeting. Three trustees are elected.</p> <p>10 The board may, subject to the Minister's approval, determine the work to be performed on local roads in a local roads area.</p> <p>19 All land as defined in The Provincial Land Tax Act is liable to assessment and taxation for local roads purposes.</p> <p>31-33 Local roads taxes are remitted to the Minister, who adds two dollars for every dollar received, plus an amount in respect of unoccupied Crown Land, and the Minister undertakes the work determined and approved under Section 10.</p> <p>39 The Statute Labour Act ceases to apply to a local roads area.</p>
Lodging houses	see PUBLIC HEALTH -	
Low income Housing	see HOUSING - Assisted Home Ownership Program	
Low rental housing	see HOUSING -	

Subject

Reference

Description and Notes

Maintenance and
occupancy standards

P.A. 36

The Ministry of Housing has published a pamphlet entitled "All Together Now" and a handbook for property standards officers, entitled "Conserving and Improving our Property". A model by-law is also available.

MARINAS

Ontario Water Resources
Act 62(o)

The Minister may regulate marinas to control pollution.
(Regulation 646)

Gasoline Handling
Act 1(i)
(Consumer & Commercial
Relations)

"Marina" means any premises at which gasoline or an associated product is sold and is put into the fuel tanks of motor boats and other craft or into portable containers.

Market value

see ASSESSMENT -

Master Plan

see OFFICIAL PLAN

Mausoleum

see CEMETERY

METES AND BOUNDS

"Metes and Bounds" refers to a system of describing land by means of a written description referring to metes - measures of length - and natural or artificial boundaries. The description follows a course from a fixed point called a monument or marker to other fixed points until the area is entirely enclosed.

METRIC SYSTEM

Weights and Measures Act
(Federal-Consumer and
Corporate Affairs)

Schedule II of this Act provides the metric equivalent of 1 yard. 1 yard = 9144/10,000 metre

Land Titles Act
(Consumer and Commercial
Relations) O. Reg. 448/76

This Regulation amends Regulation 552, R.S.O. 1970, to provide information in both the metric and imperial systems on the maximum permissible error in closure for a subdivision perimeter survey. Maximum permitted distances for other surveying technicalities are also given in both metric and imperial measurements. If metric measurements are used on a plan of survey, a standard note must be included to indicate that all measurements are in metres.

Certification of Titles
Act (Consumer and
Commercial Relations)
O. Reg. 449/76

This Regulation deals with similar matters to the above O. Reg. 448/76. It states that either a metric or an imperial equivalent must be given in parentheses when distances are given in land descriptions in some other system than the metric or imperial systems.

Registry Act (Consumer
and Commercial Relations)
O. Reg. 450/76

This Regulation amends Regulation 780, R.S.O. 1970. The content is very similar to the above O. Reg. 448/76.

Condominium Act (Consumer
and Commercial Relations)
O. Reg. 451/76

This Regulation amends Regulation 98, R.S.O. 1970 and is very similar to the above O. Reg. 448/76.

The Ministry of Consumer and Commercial Relations has produced a metric information kit for use in the land registration systems. (June, 1976) Since July 1, 1976, plans have been accepted at Land Registry offices in either imperial or metric units.

MINING

Mining Act 1
(Natural Resources)

The Act includes definitions of terms such as "mining right", "surface rights", "mine", "refinery", "mining lands", and "minerals".

Landlord & Tenant
Act 191(c)
(Attorney General)

A definition of "mining lease" is included.

Conveyancing and Law of
Property Act 16, 17
(Attorney General)

Note that Section 29(1a) of The Planning Act clarifies that no consent is required to separate mining rights from surface rights.

see also PUBLIC LANDS -
mineral rights

"Mining rights" and "surface rights" are defined.

Minister's order

P.A. 32

Mink farm

see FUR FARM

Minor Variance

P.A. 42

MOBILE HOME

P.A. 35c

This section takes effect on June 1, 1977. Individual mobile homes may be located on lots subject to the same restrictions as other dwellings, provided that not more than one mobile home is located on a lot. Mobile home parks, or any grouping of mobile homes on a single parcel of land, may only be developed or expanded on land

Subject	Reference	Description and Notes
MOBILE HOME (CONT'D)		specifically zoned to permit such use of land. Some of the existing legislation affecting mobile homes still refers to them as trailers. The term trailer should no longer be used to describe factory built dwellings designed for permanent occupancy. It should be noted that Section 36 of The Planning Act re maintenance and occupancy standards includes a mobile home in the definition of "property".
	Highway Traffic Act 1(1)15b	"Mobile home" means a vehicle, other than a motor vehicle, that is designed and used as a residence or working accommodation unit and exceeds 102 inches in width or 35 feet in length. (2.60 metres and 11.0 metres, effective April 1, 1978)
	Landlord and Tenant Act (Attorney General)	The provisions of Part IV of the Landlord and Tenant Act, governing residential tenancies, have been extended to cover mobile homes within mobile home parks.
	see also TRAILERS; TRAILER AND TOURIST CAMPS AND MOTELS; P.A. 36(1)(e)	
MONEY BY-LAWS	Municipal Act Part XII	This section deals with debentures, municipal debt, contracts for the supply of public utilities, etc.
Mortgages	see HOUSING - and HOUSING - Rural housing mortgages	
Motel	see TRAILER AND TOURIST CAMPS AND MOTELS	
MOTORIZED SNOW VEHICLE	Motorized Snow Vehicles Act	Council may prohibit the driving of motorized snow vehicles along or across any highway. (A snow vehicle is excluded from the definition of a motor vehicle).
MOTOR VEHICLE	Highway Traffic Act 1(1)17	"Motor vehicle" includes an automobile, motorcycle, and any other vehicle propelled or driven otherwise than by muscular power; but does not include the cars of electric or steam railways, or other motor vehicles running only upon rails, or a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry or road-building machine within the meaning of this Act.
MOTOR VEHICLE RACING	Municipal Act 354(1)60	Council may prohibit or regulate the racing of motor vehicles or motorcycles in any area of the municipality.
Multiple family dwelling	see HOUSING -	
MUNICIPAL BOARD	Ontario Municipal Board Act (T.E.I.G.A.)	33-34 The O.M.B. has the power of a court of record. It has authority to determine questions of law or fact.
		53 The Board is charged with the approval of money or debenture by-laws, and approves any by-laws as required by law or which a municipality voluntarily applies for. It may enquire into the financial affairs of municipalities, supervise expenditures, hear and determine disputes between municipalities and settle sewer and water rates between them.
		44 The Lt. Gov. in Council may refer to the Board any matter relating to a municipality, railway or public utility subject to the Board's jurisdiction.
- appeal		42 The Board may re-hear any application before deciding it or may review, rescind or change any decision, approval or order made by it.
		94 The Lt. Gov. in Council may confirm, vary or rescind an O.M.B. decision and may order a re-hearing.
		95 Leave may be sought from a Court of Appeal to appeal an O.M.B. decision on a question of law or jurisdiction. The court certifies its opinion to the Board and the Board must issue an order accordingly.
MUNICIPAL CODE	Municipal Act 242a	Instead of passing separate by-laws, Council may pass a comprehensive general by-law to be known as a Municipal Code. If it consolidates earlier by-laws, those provisions are deemed to have come into force on the day the original by-law came into force.



Subject

Reference

Description and Notes

MUNICIPAL GRANTS

Ontario Unconditional
Grants Act, (T.E.I.G.A.)

This Act describes the formulas used to assign provincial grants to the municipalities. It covers grants for municipal police service, general support grants, resource equalization grants, and special grants for Northern Ontario. Schedules describing these formulas and designating certain grants may also be included.

MUNICIPAL LOANS

Municipal Works
Assistance Act
(T.E.I.G.A.)

This Act empowers the Minister to make and forgive loans to municipalities and to make arrangements to borrow money from the Municipal Development and Loan Board, as contemplated in the Municipal Development and Loan Act (Canada). Eligible municipal projects include school board capital works.

MUNICIPAL PLAN

Registry Act 89
(Consumer and Commercial
Relations)

Where land in a municipality has been sold under surveys or subdivisions made in such a manner that it so differs from the way in which it was surveyed or granted by the Crown that the parcels cannot be identified, and the land is not registered, the council may cause a plan of that land to be made, register it and have the expenses incurred paid for by a special area assessment rate.

see also JUDGE'S PLAN;
REGISTRAR'S COMPILED PLAN;
REFERENCE PLAN

Subject	Reference	Description and Notes
NAVIGABLE WATERS	Beds of Navigable Waters Act 1 (Natural Resources)	The bed of any navigable water is Crown land. Beaches are not necessarily crown land, depending on the patents. The province controls the bed, the federal government controls the surface. If a creek is a navigable waterway and its bed is owned by the Crown, lands on each side of the creek would not be abutting land for the purposes of The Planning Act.
	Navigable Waters Protection Act (Transport Canada)	5 No work may be built in, upon, over, under, through or across any navigable water unless the plans have been approved by the Minister. This does not apply to works that in the Minister's opinion do not interfere substantially with navigation. "Work" may include a bridge, tunnel, dock, power cable, the dumping of fill, etc.
		19,20 No rubbish likely to interfere with navigation may be thrown into navigable waters. No stones, gravel, rubbish, etc. may be thrown into navigable tidal water unless there is a depth of at least 20 fathoms at all times.
Neighbourhood improvement	see HOUSING -	
NEW COMMUNITIES	National Housing Act, Part VI.I	45.1 C.M.H.C. may participate with a provincial agency in the planning and development of new communities. The province must indicate its plans for urban growth. The agreement must stipulate the measures to be taken to ensure that the public will receive any economic benefits that may be obtained from the lands and services.
		45.2 Loans may be made to the provincial agency for the development of the new community, and up to 50% of the loan may be forgiven.
	see also NORTH PICKERING	
NIAGARA ESCARPMENT	Niagara Escarpment Planning and Development Act (T.E.I.G.A.)	2 The purpose of this Act is to preserve the escarpment substantially as a continuous natural environment.
		3 The Minister may define the Niagara Escarpment Planning Area and may direct that a plan be prepared suitable for approval as the Niagara Escarpment Plan.
		4 The Minister is required to establish at least two advisory committees representing the municipalities and the people of the planning area.
		5 Cabinet appoints the Niagara Escarpment Commission composed of seventeen members. The Commission has the status of a corporate body.
		8 The objectives to be sought in the preparation of the Plan are described;
		9,10 Also, the contents of the Plan and the process of its preparation.
		The Plan is to be submitted to Cabinet for approval.
		12 Amendments may be initiated by the Minister or the Commission and are submitted to Cabinet for approval.
		13 No Ministry may undertake any works in conflict with the Plan and all by-laws must conform to the Plan.
		14 The provisions of the Plan prevail over any local plan or zoning by-law.
		15 The Minister may receive proposals from local municipalities to resolve conflicts between the Plan and local plans or by-laws and he may order an Amendment to a local plan.
		16 The Minister may direct a local municipality to prepare and adopt a plan or zoning by-law conforming to the Niagara Escarpment Plan.
		17 The Plan must be reviewed not later than five years after coming into effect, and subsequently at five-year intervals.
		18 The Minister may expropriate land to develop the Plan.
		19,20 The Minister may make grants to assist in implementing the Plan.



Subject

Reference

Description and Notes

NIAGARA ESCARPMENT
(CONT'D)

- development control

21 The functions of the Commission may be transferred to region or county council, when the Plan has been substantially completed.

22 The Minister may designate any area as being under development control and may regulate the issuance of development permits.

23 No development may occur and no building permit may be issued without prior receipt of a development permit. (Maximum fine: \$10,000) Development in contravention of the Act may be demolished.

24 The issuance of development permits may be delegated to the Commission or some other body. The permit relates to the development itself and is not a personal permit.

- fixed assessment

28 Agreements may be made for fixed assessments on lands whereupon assessments would otherwise be increased due to a Plan designation. The Minister may reimburse the municipality where agreements for fixed assessments have been concluded.

NOISE

Municipal Act 354(1)118

Council may prohibit the making of noises likely to disturb the inhabitants in any defined area.

Environmental Protection Act

1(c) A contaminant is defined to include noise.

14 The province may prosecute noise polluters under the general provisions of this section which prohibits the emission of contaminants which "may endanger the health or safety of any person; may injure or damage or cause damage to i) real or personal property, or ii) plant or animal life.

- control order

69-76 The Directors of branches within the Ministry may issue "control" or "stop orders" (where authorized by this Act) in order to control or stop the amount of contaminant being discharged into the environment by the person indicated on the order.

95a The council of a local municipality may pass by-laws regulating the emission of sound, prescribing maximum permissible sound levels, providing for the licensing of persons and premises with respect to noise emissions and prescribing procedures for determining noise levels. (A model noise control by-law has been prepared by the Ministry of the Environment).

see also AIRCRAFT NOISE

The Ministry of the Environment has published a manual, entitled "Acoustics Technology in Land Use Planning". At the time of writing, C.M.H.C. is completing a document entitled "New Housing and Road and Rail Noise".

Non Profit Housing

see HOUSING - Non-profit or community sponsored housing

NORTH PICKERING

North Pickering Development Corporation Act (Housing)

2 The North Pickering Planning Area may be established by the Minister.

18 The North Pickering Development Corporation has the responsibility of preparing a Plan for Development and developing the Planning Area accordingly.

19 The Plan for Development may contain various planning policies, including land use, environmental control, hard and soft services, transportation, etc.; policies relating to the financing of public development projects; and capital works and implementation policies.

20,21 The Corporation must, in accordance with The Planning Act, request the council of each municipality that has planning jurisdiction to make such amendment to its official plan as may be required to enable the Planning Area to develop in accordance with the Plan for Development; and amendment must also be requested when the North Pickering Plan is amended.

22 The Corporation may, among other things,

- prepare and submit plans of subdivision for approval;
- acquire, lease, improve and dispose of land;

(Cont'd)

Subject	Reference	Description and Notes
NORTH PICKERING (CONT'D)		<ul style="list-style-type: none"> - provide and maintain services, amenities, structures, etc. - apply for building and other permits; - make such by-laws, rules and orders as required, subject to the Minister's approval; - with the Minister's prior approval in writing, establish and carry on any business or undertaking; - with the prior approval of Cabinet, make loans.
Noxious manufactures	see INDUSTRIAL NUISANCES	
NUISANCE	Public Health Act	<p>28 Where information is given in writing to a local board of health by a resident householder of the existence of a nuisance or unsanitary condition, the local board must forthwith investigate the complaint and take all necessary steps to abate it.</p> <p>35 If the local board doesn't act expeditiously, the Minister may step in and charge the municipality.</p> <p>85-96 Any condition that may become injurious to health may be deemed a nuisance. Among other matters, this may include refuse accumulation, water supply pollution, industrial location, dwelling overcrowding, air pollution, etc.</p>
	see also PUBLIC HEALTH, INDUSTRIAL NUISANCES	
Nursery, Day	see HEALTH AND SOCIAL SERVICE INSTITUTIONS - Day Nursery	
NURSING HOME	see HEALTH AND SOCIAL SERVICE INSTITUTIONS - nursing home	

Subject

Reference

Description and Notes

OBSTRUCTION OF VIEW
AT INTERSECTIONS
AND ALONG ROADS

Municipal Act 451

Council may enter into agreements for the removal of trees, shrubs, fences, signboards, etc., obstructing visibility at an intersection. If no agreement is obtained, an order may be sought from a county court judge.

Public Transportation &
Highway Improvement Act

27 (7) Subject to appropriate compensation, the Minister may require the removal of any obstruction which might impair the safety or convenience of travellers on a King's Highway

99 A county or township may fix the distance from centre-line within which no tree, building, sign or other obstruction may be allowed which might cause snow to accumulate or might obstruct vision.

see also HIGHWAY -
King's Highway

Occupied water
privilege

see LAKES AND RIVERS -

Offensive trades

see INDUSTRIAL NUISANCES

OFFICE

Industrial Safety Act
(Labour)

1(k) "Office" includes a building, including any land appertaining thereto, or that part of a building occupied and under the control of a separate employer and used for office purposes, and any other building, including any land appertaining thereto, or part thereof designated by the Lieutenant Governor in Council as an office under section :

1(1) "Office Building" means a building, including any land appertaining thereto, used or occupied for office purposes, and not as a shop or factory, and includes a part of such a building when so used or occupied, and any other building including any land appertaining thereto, or part thereof designated by the Lieutenant Governor in Council as an office building under section 3.

OFFICIAL COMMUNITY
PLAN

National Housing Act 2
(M.S.U.A.)

"Official community plan" means a master plan of community development and land utilization prepared by a local planning authority and legally adopted by or on behalf of a municipality.

Official plan

P.A. 1(h), 2, 5, 12, 17

Old Age Homes

see HEALTH AND SOCIAL
SERVICE INSTITUTIONS -
home for the aged

Old people

elderly persons

One-family dwelling

see HOUSING -

ONTARIO CO-ORDINATE
SYSTEM

Surveys Act O/Reg 809
(Natural Resources)

The Ontario Co-ordinate System is a system of co-ordinate surveys made for the purpose of establishing the location of points on the surface of the earth by geographic or grid co-ordinates. The system is a universal transverse Mercator projection modified to a 3 degree zone of the Clarke spheroid of 1866.

Ontario Home Renewal
Program - (OHRP)

see HOUSING - OHRP,
- programs

Ontario Housing Action
Program (OHAP)

see HOUSING - housing
incentives, - programs

Ontario Housing
Corporation

see HOUSING -

ONTARIO LAND
CORPORATION

Ontario Land Corporation
Act
(T.E.I.G.A.)

13 The objects of the Corporation are to assist in the promotion of community and industrial development of land in Ontario by the acquisition of land and the disposal of to persons in the private and government sectors for residential, community, industrial, governmental and commercial development and, without limiting the generality thereof, in the carrying out of those objects the Corporation has power to:

(a) purchase, lease, take in exchange or otherwise acquire lands or interest therein, together with any building or structures on the lands;

Subject	Reference	Description and Notes
ONTARIO LAND CORPORATION (CONT'D)		<p>(b) sell, lease, exchange, mortgage or otherwise dispose of the whole or any portion of the lands and all or any of the buildings or structures that are then or may after be erected upon the lands and to take such payment or security therefor as may be necessary or desirable;</p> <p>(c) lend and invest money on security of real estate and to sell, mortgage, or otherwise dispose of mortgages;</p> <p>(d) subscribe for, purchase, invest in, sell, assign or otherwise deal in shares, stocks, bonds, debentures, notes and other securities of any government or municipal corporation, or of any corporation whose objects include the buying and selling of land; and</p> <p>(e) do anything that, in the opinion of the Board, can be done advantageously by the Corporation in connection with or ancillary to the carrying out of the objects of the Corporation set out in clauses a, b, c, and d.</p> <p>15 The Corporation has power of expropriation.</p>
Ontario Municipal Board	See MUNICIPAL BOARD	
Open Space	see PARKS; PARKWAY BELT; SITE PLANNING	
OUTDOOR FESTIVAL	Public Health Act 6a	<p>"Outdoor festival" means a festival for the assembly of more than 2,000 people out of doors for at least 24 hours for musical or theatrical entertainment. The Minister may, with Cabinet approval, make regulations for health and safety standards, for bonding of the promoters, etc. Provision is made for fines up to \$10,000.</p>
Outhouses	see GARAGE; PUBLIC HEALTH	
Overcrowding	see PUBLIC HEALTH -	

Subject

Reference

Description and Notes

PARCEL

Boundaries Act 1(h)
(Consumer & Commercial
Relations)"Parcel" means a lot, block easement, right of way, or
other area into which land is divided.PARKS
- area rate

Municipal Act 352(68-71)

Council may acquire land for park purposes. The cost may
be area rated.Public Parks Act
(T.E.I.G.A.)3 Parks established under this Act must be managed by "The
Board of Park Management", which may acquire land, etc.Parks Assistance Act
(Natural Resources)2 The parks established under this Act must be maintained
and operated for the use and enjoyment of the public in
such a manner as will be complementary to the use and
enjoyment of provincial parks.3 This Act authorizes grants to assist municipalities in the
acquisition and development of an approved park or the
conversion of a park to an approved park.5 Municipalities must file for assistance to the Ontario
Parks Integration Board.10 Municipalities may pass by-laws (with regard to these
parks) regulating such things as: the care, preservation,
improvement and management of the park, the amount of
traffic in the park, admission prices, etc.Refer also to the pamphlet "Parkland For People" prepared
by the Ministry of Housing.see also P.A. 33(5) &
(8)-(11); P.A. 35b;
PROVINCIAL PARK,
RECREATION and
HISTORICAL PARK.

Parking areas

see SITE CONTROL; SITE
PLANNING;
P.A. 35(29)-(32)PARKING LOTS
- area rate

Municipal Act 352

(72) Council may establish a public parking lot and may, with
O.M.B. approval, levy the cost on a defined area.(73) A parking authority may be established for the operation
parking facilities within the municipality.see also P.A. 35(29)-
(32)

PARKWAY BELT

Parkway Belt Planning
& Development Act
(T.E.I.G.A.)1 The Minister may define a Parkway Belt Planning Area and
direct that a Parkway Belt Plan be prepared.2 The Parkway Belt Plan is a development plan within the
meaning of the Ontario Planning and Development Act.5 An agreement may be made for fixed assessment if an
existing land use differs from the Parkway Belt Plan or if
plan designation and the assessment would otherwise be
increased as a result of the designation. The Minister may
reimburse the municipality for the reduced assessment.6 The Minister may make land use regulations within the
Parkway Belt Planning Area (Zoning orders). Such
regulations need not conform to a local official plan.

- fixed assessment

- zoning orders

Part lot control

P.A. 29

Partial Sales and
Partial Foreclosures

P.A. 29(5e)

PEDESTRIAN MALL

Municipal Act 354(110)

Council may establish a pedestrian mall, with the approval
of the Minister of Transport. Any class of vehicle may be
excluded at any specified time.Pedestrian overpass)
Pedestrian underpass)see HIGHWAY - use of
space over or under a
highway

Penalties

see ENFORCEMENT OF
BY-LAWS

PERCHED POND

Pits and Quarries Control
Act Regulation 545/71
(Natural Resources)"Perched pond" means a pond resulting from a pit or quarry
or wayside pit or quarry excavation which is above the
natural water table and is in excess of 18 inches in depth
and covers minimum area of 10,000 sq. ft.

Subject	Reference	Description and Notes
PERMIT PARKING		By-laws permitting parking by permit on public streets may only be passed in municipalities which have obtained private legislation for this purpose.
PIPELINE	Ontario Energy Board Act 38-41 (Energy)	<p>No transmission line for natural gas may be constructed without an order from the Energy Board. Provision is made for notice, objection procedures, hearing and expropriation.</p> <p>The Ontario Energy Board has produced a booklet entitled "Environmental, Agricultural and Resources Guidelines for the Construction and Operation of Pipelines in the Province of Ontario", dated September, 1976. It is obtainable from the Ontario Government Bookstore.</p>
PITS AND QUARRIES	Pits and Quarries Control Act (Natural Resources)	<p>1 Pits, quarries and wayside pits are defined. (The latter are temporary pits for road projects).</p> <p>2 The Act applies only to the areas designated by Cabinet regulation.</p> <p>4 No pit or quarry may be established without a licence from the Minister. Applications must include a site plan, including land use within 500 feet of the boundaries of the lands to be set aside for the pit or quarry. Operations must conform to the site plan.</p> <p>5 If anyone objects to an application, the matter must be referred to the O.M.B.</p> <p>6 The Minister may refuse to issue a licence if it is against the public interest, in his opinion. No licence may be issued if the location contravenes an official plan or local by-law. Where there is no official plan or by-law regulating pit and quarry location, council must be notified and if they object within 45 days, the Minister shall not issue the licence.</p> <p>7 A licence must be reviewed at least annually and may be revoked.</p> <p>11 Every licensee must submit a deposit as required by the regulations and may forfeit that deposit if rehabilitation is not adequately carried out.</p> <p>12 Wayside pits require a permit.</p>
- restraining order		<p>15 The Minister may enforce compliance with the Act by applying for a restraining order.</p> <p>17 This Act prevails over a municipal by-law.</p>
Planned Communities	see NEW COMMUNITIES	
Planning area	P.A. 2	
Planning board	P.A. (3-5), (8-12)	
Plan of subdivision	see SUBDIVISION PLAN	
Playgrounds	see PARKS; RECREATION	
PLUMBING	Ontario Water Resources Act (Environment)	<p>62(1)(f,g,h) The Minister may regulate plumbing (Regulation 647 as amended.)</p> <p>63 Plumbing inspections may be undertaken by local municipalities, counties or boards of health.</p> <p>66 No municipal by-law regulating plumbing has any effect.</p>
	Municipal Act 354(1)75	Council may charge a fee for plumbing inspections.
Police costs	see AREA RATE - police	
POLICE VILLAGE	Municipal Act 471-500	Various provisions describing the powers of the trustees of a police village. They may be concerned with sidewalks, culverts, roads, public utilities, fire protection, parks and certain other matters described in Section 487.
Pollution	see PUBLIC HEALTH, WATER QUALITY, AIR POLLUTION, AGRICULTURAL POLLUTION, LAKES AND RIVERS, SIGN CONTROL, WASTE MANAGEMENT	

Subject

Reference

Description and Notes

POLLUTION ABATEMENT	Pollution Abatement Incentives Act (Environment)	This Act provides for grants to municipalities, industries, schools, hospitals, etc. and individuals for pollution abatement equipment.
	see also CONTROL ORDER	
Ponds	see CONSERVATION (NATURAL ENVIRONMENT)	
Portable Housing	see MOBILE HOMES	
Preservation of historic buildings	see CONSERVATION (CULTURAL)	
Preservation of wilderness	see WILDERNESS	
PRIVATE HOSPITAL	see HEALTH AND SOCIAL SERVICE INSTITUTIONS -	
Private school	see SCHOOLS - private	
Property exempt from taxation	see ASSESSMENT -	
Property standards committee	P.A. 36(11) see also Maintenance and Occupancy Standards	
Prospectus	see FOREIGN LAND SALES	
Provincial Land Tax	see UNORGANIZED TERRITORY - assessment	
PROVINCIAL PARK	Provincial Parks Act (Natural Resources)	
- classification		5 Cabinet may classify provincial parks as natural environmental, nature reserve, primitive, recreational, wild river or some other class of park.
- zoning		7(2) The Minister may designate zones such as: historic zone, multiple use zone, natural zone, primitive zone, recreational zone, etc.
- access road		8 The Minister may enter into agreement with a municipality and subsidize the construction and maintenance of a road leading to a provincial park. Approval is required from the Cabinet. Similar arrangements may be made in unorganized territory.
- use of land		19 Cabinet may make regulations controlling the use or occupation of land, erection of buildings, structures and signs, etc.
- licence of occupation		18 A licence of occupation may be issued under the regulations to permit mining in a provincial park.
PROVINCIAL PLANNING	Ontario Planning and Development Act (T.E.I.G.A.)	Major policy statements include Design for Development, a White Paper published in 1966 and Design for Development Ontario's Future: Trends and Options published in 1976.
Public garage	see GARAGE	
PUBLIC HALL	Public Halls Act 1 (Attorney General)	"Public hall" means a building, including a portable building or tent with a seating capacity for over 100 persons that is offered for use or used as a place of public assembly, but does not include a theatre within the meaning of The Theatres Act or a building, except a tent, used solely for religious purposes.
PUBLIC HEALTH	Public Health Act	4 The duties and responsibilities of the Ministry include to determine whether the existing condition of any premises or the method of manufacture or business process, or the disposal of sewage or other waste or garbage is a nuisance or injurious to health -- and to enter upon any premises and make such orders and give such directions with regard to the structural alterations of the premises or with respect to any other matter as the Ministry deems advisable in the interests of public health.
		6 The Minister may, with Cabinet approval, make regulations for:

Subject	Reference	Description and Notes
PUBLIC HEALTH (CONT'D)		
- nuisances		- the removal of nuisances and unsanitary conditions, - directing the alteration or destruction of any building unfit for human habitation, - preventing overcrowding by limiting the number of dwellers on premises,
- overcrowding		- the sanitary precautions to be taken in health resorts, summer resorts and on boats plying upon inland waters, and for preventing pollution of such waters,
- resorts		- defining, regulating and licensing summer camps, summer resorts and agricultural camps but not including premises commonly known as tourist camps, boarding houses or lodging houses,
- boats		- prescribing standards for the location, construction, alteration, repair and equipment of premises to be used as dwellings,
- water pollution		- defining public swimming pools and regulating or prohibiting their construction, alteration, repair, location, maintenance and use, (see also Section 126 for by-laws regulating public swimming pools)
- camps		- governing, regulating and restricting the storage, collection and disposal of garbage and refuse in private premises and households.
- building standards		8 The above regulations prevail over any local by-law.
- swimming pools (public)		13 Every municipality in Ontario must have a local board of health unless it is in a "health unit".
- garbage and refuse (Private)		36 One or more counties, or a group of municipalities may establish a health unit. Provincial assistance may be provided.
- local board of health		87 A medical officer of health or an inspector may enter any premises at all reasonable times and may order that the premises be closed if necessary for health reasons. Provision is made for appeal.
- health unit		101 A medical officer of health or an inspector may enter into a lodging house where he has reason to suspect overcrowding which is deemed unhealthy.
- entry on private property		105 Where the Ministry reports in writing that water or sewerage works are necessary in the interest of public health, the municipality must forthwith pass all necessary by-laws and undertake the required works without unnecessary delay.
- lodging houses		112 The council of a city or town may by by-law establish a public slaughterhouse or abattoir.
- waterworks, sewerage		128-129 The Minister may make regulations respecting industry to prevent nuisances and may provide for the inspection of houses and premises in unorganized territory.
- public slaughter-houses		Schedule B This is a by-law in force in every municipality until altered by council. It deals with location of slaughter-houses, removal of garbage, provision of toilets in restaurants, keeping of swine etc. The clause providing for fines was deleted in 1974.
- unorganized territory		
PUBLIC HOSPITAL	see HEALTH AND SOCIAL SERVICE INSTITUTIONS -	
Public housing	see HOUSING -	
PUBLIC LANDS	Public Lands Act (Natural Resources)	7 Cabinet may make such regulations as are considered necessary to carry out the provisions of the Act, or to meet cases for which no provision is made by the Act.
- public reserves		3 Where at least 25% of the frontage on a water body is public, at least 25% of that frontage will be retained for access and recreation. Where less than 25% remains, it will all be retained.
- zones		16 The Minister may establish zones such as "Open", "Deferred", "Closed", etc. and may regulate and administer the use of public lands accordingly. The Minister may designate areas wherein no resort development may occur except by registered plan of subdivision.

Subject

Reference

Description and Notes

PUBLIC LANDS (CONT'D)

- restricted area 17 In areas without municipal organization the Minister may designate a "restricted area", which gives him control over building permits and land improvements "on such terms and conditions as he considers proper".
- sale or lease 19-22 Cabinet may make regulations prohibiting or controlling the sale or lease of public lands for other than agricultural purposes. The letters patent may include conditions re the use of the land. Violation of the conditions may result in forfeiture of the land. Upon cancellation of a sale or lease all buildings become Crown property. (See also O. Reg. 246/71 re sale and lease)
- licence of occupation 23 A licence issued by the Minister to permit mining exploration on public lands. Subject to the conditions attached to it, the licence carries similar rights as letters patent.
- dumping of fill 29 Any person who deposits any material on public land or water is liable to a fine of \$500.
- Crown grants 40 Means a grant of a freehold or leasehold interest in unpatented public lands.
- public agricultural lands committee 48 Appointed by the Minister, this committee recommends suitable areas for sale or other disposition as agricultural land and measures for their development.
- forest roads 50-57 This deals with private and public forest roads. (Definitions etc.)
- trees 59-60 Trees on land disposed of for agricultural purposes remain Crown property until the letters patent are issued.
- mineral rights 62-64 In letters patent issued after 1957 the mineral rights are reserved to the Crown.
- cottage lot condition 70 Where lands have been granted subject to the condition that a cottage be constructed within 18 months, such condition is void.
- subdivision 72 Where public lands have been disposed of and the owner subdivides the land within five years of the issue of letters patent, one quarter in acreage of the lots is vested in the Crown.
- dams 74 The Minister may construct dams and other water control works, expropriate land, etc.
- summer resort locations Ontario Regulation 246/71 "Cottage" means a building in which facilities are provided for cooking and for shelter for one or more persons living therein as a single and non-profit housekeeping unit. There is no restriction by definition or regulation to differentiate between permanent and seasonal occupancy of a summer resort location. The standard form of lease requires compliance with zoning by-laws and limits the use to a single non-profit housekeeping unit of one cottage and accessory buildings.

PUBLIC PARTICIPATION

- in plan-making P.A. 12(1)b One of the duties of a planning board is to "hold public meetings and publish information for the purpose of obtaining the participation and cooperation of the inhabitants of the planning area in determining the solution of problems or matters affecting the development of the planning area".
- notifications and objections P.A. 29(11), 35(12), 42(5)
- appeals, public hearings see DRAINAGE, ENVIRONMENTAL ASSESSMENT; MUNICIPAL BOARD - appeals; P.A. 37a(4), (5) and 42(7), (15); Ontario Planning and Development Act 6(4), 44(6); Municipal Act 14(4) and 446 Public hearings are required as part of the process in a number of Acts. Provision is also made for appeals from decisions on such matters as the location of drainage works, the environmental impact of a project, etc.

(Cont'd)

Subject	Reference	Description and Notes
Public reserves	see PUBLIC LANDS -	
Public schools	see SCHOOLS -	
PUBLIC TRANSPORTATION	Municipal Act	354(1)89-90 Council may operate a public bus transportation system and may levy a special rate in a defined area to cover any operating deficit.
- area rate		460.9 Council may designate any lane on any road over which the municipality has jurisdiction as a lane solely or principally for use by public transit motor vehicles.
	Public Transportation & Highway Improvement Act	87-87c Various provisions relating to provincial and municipal subsidies.
	Highway Traffic Act 128a	Council may prohibit commercial motor vehicles other than buses in the left lane of a highway having 3 or more lanes in each direction and a maximum speed of 50 m.p.h. or more.
- urban transit service area	Regional Municipality of Hamilton-Wentworth Act. 53h	The Regional Council shall apply to the Minister of Transportation and Communications to have an area within the Region defined as an Urban Transit Service Area. The Region may thereby obtain licensing powers for public transportation within the Area. The Region's eligibility for provincial transportation subsidy may also be improved within the Area.
	see also RAPID TRANSIT; COMMUTER SERVICES; PUBLIC VEHICLE	
PUBLIC UTILITIES	Municipal Affairs Act 1(g)	"Public utility" means a waterworks, gasworks, including works for the transmission, distribution, and supply of natural gas, electrical power or energy works, or system for the generation transmission or distribution of electric light, heat or power, a telephone system, a street or other railway system, a bus or other public transportation system or any other works or system for supplying the inhabitants generally with necessities or conveniences that are vested in or owned, controlled or operated by a municipality or municipalities or by a local board.
	Ontario Municipal Board Act 1(d) (T.E.I.G.A.)	"Public utility" means a waterworks, gasworks, including works for the production, transmission, distribution and supply of natural gas, electric heat, light and power works, and telegraph lines, or any works supplying the general public with necessities or conveniences.
- water supply	Public utilities Act (T.E.I.G.A.)	2,4 A municipality may operate waterworks, build reservoirs, divert water bodies to protect the water supply, etc., and may assess the cost of water supply on rateable property in a defined area.
- area rate		6,7 Service pipes from the street line to a building are the property owner's financial responsibility, but under municipal control.
		11,25 A municipality may supply water and other utilities beyond its boundaries.
- area rate		14 A special rate may be levied for waterworks debentures on land not more than 300 feet from a water pipe.
- gas, electricity, etc. and sewerage		17,40(6) A municipality may also operate works for gas, electricity, steam or hot water, and sewerage.
		23 Passages common to neighbouring owners may be broken up to lay or repair pipes, provided they are restored.
		35 Profits from a municipal utility other than hydro must be turned over to general revenue.
		38-48 Control of public utilities may be entrusted to a Public Utilities Commission.
		55 Where there is sufficient supply, no building along a supply line may be denied the supply.
		56 O.M.B. approval may be required to lay main pipes closer than 6 ft. to any existing main.
- transportation and telephones		64 The operation of a bus, railway, street car or telephone system may be entrusted to a Public Service Commission or to an existing Public Utilities Commission.

P

Subject

Reference

Description and Notes

PUBLIC UTILITIES (CONT'D)

- area rate

Municipal Act 294(2);
354(1)53(f) and 354
(2) and (3)

Council may levy a special annual rate in an area to
to defray the cost of a public utility provided in that
area.

see also AREA RATE

PUBLIC VEHICLE

Public Vehicles Act 1(g)

"Public vehicle" means a motor vehicle operated on a
highway by, for or on behalf of any person for the
transportation for compensation of passengers, or
passengers and express freight that might be carried in
a passenger vehicle, but does not include the cars of
electric or steam railways running only upon rails,
taxicabs, nor motor vehicles operated solely within the
corporate limits of the urban municipality.

PUBLIC WORKS

Ministry of Government
Services Act

This Act provides for provincial public works.

12 The Minister or his agents may enter upon any land or
use any stream, cut any trees, carry away any earth,
divert any pipe or wire, etc., without the owner's consent
for any purpose relative to the use, construction, main-
tenance or repair of a public work.

Subject	Reference	Description and Notes
Quarry QUIETING ORDER	see PITS AND QUARRIES Municipal Corporations Quieting Orders Act (T.E.L.G.A.)	A quieting order is an order by the O.M.B. establishing the legal existence or corporate status of a municipality, or establishing its proper area and boundaries in order to quiet doubts affecting them.

R

Subject

Reference

Description and Notes

RAILWAY RELOCATION

Railway Relocation and Crossing Act Part I (M.S.U.A., Transport Canada and Canadian Transport Commission)

Railway facilities in urban areas may be relocated to open the way for urban improvements. The Minister of State for Urban Affairs may pay up to 50% of the cost of preparing an urban development plan, and the Minister of Transport may pay 50% of the cost of preparing a transportation plan. A financial plan is also required. The plans must have provincial approval before being sent to the CTC with an application for a relocation order or rerouting order. The CTC may issue a relocation or rerouting order to the rail-road company. MOT may make a grant of up to 50% of the net costs of relocation.

RAILWAY GRADE SEPARATIONS

Railway Relocation and Crossing Act Parts II and III (Transport Canada and Canadian Transport Commission)

Special grants and funds are available for the construction of grade separations and railway crossings.

RAPID TRANSIT

Public Transportation & Highway Improvement Act

87 Various provisions relating to provincial subsidies, etc.

Receiving Plant for Dead Animals

see RENDERING PLANT

RECREATION

Municipal Act 352.74

Council may acquire, build, operate and manage parks, recreational areas, community centres, art galleries, arenas, auditoriums, stadia, museums and other places of recreation or amusement. Money may be borrowed and the cost may be levied on any defined area of the municipality

- area rate

see also SCHOOLS -;
ELDERLY PERSONS CENTRE;
COMMUNITY CENTRE

Redevelopment

see HOUSING; P.A. (22-28)

REFERENCE PLAN

Land Titles Act
Registry Act 78(a) and
Reg. 780(7)
(Consumer and Commercial
Relations)

167 A "reference plan" is a plan of survey prepared by an O.L.S. and deposited or recorded in the proper land registry office. A Reference Plan is not a registered plan of subdivision but provides a graphic description of land by designating units of land as "PARTS". These plans do not create new geographic units or designations but make it possible to replace a conventional metes and bounds description by referring to the Parts on the plan.

REFUSE ACCUMULATION

Municipal Act 354(1)69

Council may pass a by-law requiring and regulating the filling up, draining, cleaning or clearing of any grounds, yards and vacant lots.

see also PUBLIC HEALTH -
garbage and refuse; main-
tenance and occupancy
standards

Refuse disposal

see WASTE MANAGEMENT

REGIONAL ECONOMIC DEVELOPMENT

Regional Development
Incentives Act (Federal
- Regional Economic
Expansion)

3 After consultation with the provincial government, Cabinet may designate a region of not less than 5000 square miles as requiring special measures to facilitate economic expansion and social adjustment. In Ontario, the north part of the province is so designated, the southern boundary extending approximately from Parry Sound to Renfrew.

- incentives

4-6 In a designated region, the Minister may authorize financial assistance for the establishment, expansion or modernization of a manufacturing or processing operation. Criteria are established determining the maximum amount of the incentives.

see also PROVINCIAL
PLANNING

REGIONAL MUNICIPALITIES

Regional Municipality of..
Act, District Municipality of Muskoka Act,
Municipality of Metropolitan Toronto Act.

Each Region has its own specific enabling provincial Act. They include Durham, Haldimand-Norfolk, Halton, Hamilton-Wentworth, Niagara, Ottawa-Carleton, Peel, Sudbury, Waterloo and York. Also Muskoka and Toronto. The distribution of planning responsibility between the regional and local level differs between regions.

Regional Planning

see REGIONAL MUNICIPALITIES, SEWERAGE -
regional plan; WATER-
WORKS - regional plan;
PROVINCIAL PLANNING

Refer also to the Ontario Planning and Development Act, which provides for "development plans" in areas defined by the Minister.

Subject	Reference	Description and Notes
REGISTERED PLAN	Land Titles Act 161, 171(1) and 172(1) (Consumer & Commercial Relations)	Where land is being subdivided for the purpose of being sold or conveyed in lots, the subdivider must register a plan certified by an O.L.S. in the Land Titles or Registry Office. No such plan to which The Planning Act applies may be registered unless approved under the Act. No plan, though registered, is binding unless a sale has been made according to the plan.
REGISTRAR'S COMPILED PLAN	Registry Act 81 (Consumer & Commercial Relations)	The Registrar's Compiled Plan is a bookkeeping tool of the Land Registration System, to facilitate the breaking down of the Abstract Index, in those areas where searching has become costly and time consuming. These plans are prepared largely without benefit of survey, from Registry Office records. Each property in a given area is assigned a compiled plan lot number and the Registrar's Compiled Plan then becomes the visual graphic index for the new Abstract Indexes opened up under these lot numbers.
	see also P.A. 29(5d) see also MUNICIPAL PLAN; JUDGE'S PLAN; REFERENCE PLAN; LAND REGISTRATION	
Rehabilitation	see HOUSING -; P.A. 22-28	
Relocation Costs	see EXPROPRIATION -	
RENDERING PLANT	Dead Animal Disposal Act (Agriculture and Food)	1 (g) "Receiving Plant" means a premises to which dead animals are delivered for the purpose of obtaining the hide, skin fats, meat or other product of the dead animals or for the purpose of selling or delivering the dead animals or parts thereof to a rendering plant. 1 (h) "Rendering Plant" means a premises at which dead animals are processed into hides, meat, bone meat, meat meal or inedible fats. 2 This Act does not apply to establishments operating under the Meat Inspection Act (Canada).
	see also SLAUGHTERHOUSE	
RENT REVIEW	Residential Premises Rent Review Act (Consumer and Commercial Relations)	1 "Residential premises" is defined. 4 The Act establishes the limits on the amount by which rents charges for residential premises may be increased during the period from July 29th, 1975 to December 31, 1978. Both landlords and tenants may apply to a Rent Review Officer to determine whether the rent charged is either too much or too little. 10 No tenant is allowed to sublet his dwelling unit for rent higher than the rent lawfully authorized under the Act. 12 The decision of the Rent Review Officer may be appealed to the Rent Review Board whose decision is final.
- Rent Review Officer		
- Rent Review Board		
Rent supplement	see HOUSING -	
Rental housing	see HOUSING -	
Reserved bus lanes	see PUBLIC TRANSPORTATION	
Reservoirs	see CONSERVATION; DRAINAGE; PUBLIC UTILITIES	
Resort subdivision road rate	see HIGHWAY - Township road	
Resource road	see HIGHWAY -	
Restraining order	see JUDGE'S PLAN; SUBDIVISION PLAN AREA; PITS AND QUARRIES -	
Restricted area	see PUBLIC LANDS -	
Restricted area by-law	P.A. 35; see also INDEX OF MUNICIPAL BY-LAWS	
Restoration of Buildings	see CONSERVATION (CULTURAL); HOUSING - OHRP, neighbourhood improvement	

Subject

Reference

Description and Notes

ROAD ALLOWANCE AROUND A LAKE	Municipal Act 443(3)	No such original road allowance may be closed or diverted without the Minister's approval.
ROAD CLOSING	<p>Surveys Act 57 (Natural Resources)</p> <p>Public Transportation and Highway Improvement Act 22(2)</p> <p>Municipal Act 443</p> <p>see also JUDGE'S ORDER; UNORGANIZED TERRITORY; HIGHWAY</p>	<p>A closed road allowance belongs to the owners of the land abutting thereon.</p> <p>A municipality may not open, close or divert a road touching a King's Highway without the consent of the Minister.</p> <p>Council may pass a by-law to close a road, either permanently or for a specified period of time. The by-law must be approved by the Minister if the road is shown on a subdivision plan registered after March 27, 1946.</p>
Road-leasing of untravelling portion	see HIGHWAY - leasing, etc.	
Roads on public lands	see PUBLIC LANDS	
ROAD REPAIR	Public Transportation and Highway Improvement Act 95	The Minister may repair a local road and charge the municipality if the municipality has let the road fall into disrepair.
ROAD WIDENING	<p>Public Transportation and Highway Improvement Act 100</p> <p>Municipal Act 443</p> <p>see also SET-BACKS; LOCAL IMPROVEMENTS; HIGHWAY; P.A. 35a(2)1</p>	<p>Agreements may be made by a municipality (other than a city or separated town) for the widening of a highway or county road.</p> <p>Council may pass by-laws for widening, altering or diverting any highway or part of a highway.</p>
ROAD WIDENING (DEFERRED)	Municipal Act 339	Council may provide for the laying out or widening of a street, but defer the work for between 3 and 10 years. The required land is vested in the corporation but the owner may retain temporary possession. Except as otherwise ordered by the O.M.B. compensation is not payable till the day of entry. The Expropriation Act does not apply.
ROAD WIDTH	Municipal Act 450	No road of less than 66 feet may be laid out without the Minister's approval. No road of more than 100 feet may be laid out, except in a city or town, without the Minister's approval.
Rock festival	see OUTDOOR FESTIVAL	
Rubbish on vacant lots etc.	see REFUSE ACCUMULATION	
RURAL DEVELOPMENT	<p>Agricultural Rehabilitation and Development Act (ARDA) (Agriculture and Food)</p> <p>Agricultural and Rural Development Act (Agriculture Canada)</p>	<p>A Federal-Provincial Rural Development Agreement provides for six types of programs:</p> <ol style="list-style-type: none"> (1) Research for the development of new programs and to determine the impact of existing programs; (2) Farm consolidation and enlargement; (3) Provision of retraining and rehabilitation assistance; (4) Expansion of the rural development field services and public information; (5) Development of natural resources; (6) Development of alternative income and employment opportunities for rural people. <p>The second type of program in the above list relates to land use. Its objectives are:</p> <ol style="list-style-type: none"> (1) to assist in the establishment of viable farm units through the enlargement, consolidation, regrouping and basic improvement of non-viable farms; (2) to assist in the withdrawal from agriculture of land of low agricultural capability;

Subject	Reference	Description and Notes
RURAL DEVELOPMENT (CONT'D)		
Rural housing mortgages	see HOUSING -	(3) to release capital to farmers who desire to sell non-viable farms;
		(4) to improve and develop land and water resources in low income rural areas.

S

Subject

Reference

Description and Notes

SAFETY ZONE

Municipal Act 354(1)111

Council may set aside safety zones near bus or street-car stops and prohibit cars from driving over them while a pedestrian is in one or entering one.

Sale or lease of public land

see PUBLIC LANDS - sale or lease

Salvage yards

see JUNK YARDS

Sand and gravel

see PITS AND QUARRIES; BEACHES AND SHORES

Sanitaria

see HEALTH AND SOCIAL SERVICE INSTITUTIONS

Sanitary landfill

see LANDFILL; WASTE MANAGEMENT

School attendance

see SCHOOLS -

School pupils from mobile homes

see TRAILERS; TRAILER CAMPS

SCHOOLS

Education Act

- private

1(1)40 "Private School" means an institution at which instruction is provided at any time between the hours of 9 a.m. and 4 p.m. on any school day for five or more pupils who are of or over compulsory school age in any of the subjects of the elementary or secondary school courses of study and that is not a school as defined in this section (i.e. not a public, separate or secondary school)

- site

1(1)53 "School Site" means land or interest therein or premises required by a board for a school, school playground, school garden, teacher's residence, caretaker's residence, gymnasium, offices, parking areas or for any other school purpose.

- attendance

20(2) A child is excused from attendance at school if transportation is not provided by a board for the child and there is no school that he has a right to attend situated within one mile from his residence if he is under seven, within two miles if he is under ten, or within three miles if he is ten or over.

36 If a child lives more than 2 miles from school and no bus transportation is provided closer than $\frac{1}{2}$ mile from home, he (she) may attend a school in an adjoining school section if it is closer.

- recreation

147(1)9 A school board may operate the school ground as a park or playground and rink.

147(1)22 A school board may permit the school buildings and premises to be used for any educational or other lawful purpose.

- recreation in unorganized territory

147(1)42 Where a recreation committee has been appointed in unorganized territory, a school board may exercise the powers of a municipal council to levy rates and collect taxes for the purposes of the recreation committee.

- recreation, shared use

157 A school board may enter into agreements for shared use of facilities for cultural, athletic, educational, administrative or other community purpose, including community recreation centres.

- transportation

10(1)28 The Minister may make regulations governing the transportation of pupils.

163 A school board may provide transportation to and from school.

- private vocational

Private Vocational Schools Act (Colleges and Universities)

1(c) "Private vocational school" means a school or place at which instruction in any vocation is offered or provided by class room instruction or by correspondence, other than a college of applied arts and technology, a university recognized by the Ministry of Colleges and Universities or course of instruction maintained under any other act of the Legislature.

- mobile homes

see TRAILERS (Mobile homes)

School sites

see SCHOOLS - site

Subject	Reference	Description and Notes
School transportation	see SCHOOLS - transportation	
Shared use of schools	see SCHOOLS - recreation, shared use	
Secondary highway	see HIGHWAY -	
Self-service gas station	see SERVICE STATIONS - self-service	
Semi-detached dwelling	see HOUSING -	
Senior citizen	elderly person	
SEPTIC TANK	Environmental Protection Act, Regulation 229/72 as amended see also SEWERAGE; PUBLIC HEALTH -	A fact sheet is available from the Ministry of the Environment. It describes the minimum standards for septic tank system design, including location standards relative to buildings, water bodies and property lines.
SERVICE STATIONS	Municipal Act 354(1)	132 An "automobile service station" means a building or place where gasoline, oil, grease, anti-freeze, tires, tubes, tires accessories, electric light bulbs, sparkplugs and batteries for motor vehicles are stored or kept for sale, or where motor vehicles may be oiled, greased, or washed, or have the ignition adjusted, tires inflated or batteries charged, or where only minor or running repairs essential to the actual operation of motor vehicles are executed or performed. Council may regulate service stations in defined areas but this power does not permit the location of a service station contrary to a zoning by-law.
- self-service	Municipal Act 640 Gasoline Handling Act (Consumer and Commercial Relations)	133 Council may also limit the number of service stations and of public garages. (Repeal not proclaimed) 1(m) "Service station" means any premises at which gasoline or an associated product is sold and is put into the fuel tanks of motor vehicles or into portable containers; Among other matters, the regulations pursuant to this Act state that self-service gasoline stations must be approved by the Ministry. The Ministry consults with the local municipality before approving an application.
SET-BACKS	Municipal Act 340 see also HIGHWAY - King's Highway; OBSTRUCTION OF VIEW	Council of a local municipality may establish a minimum building line set-back from a highway, as a preliminary step to widening the highway. Such a by-law requires O.M.B. approval. The required set-back may not exceed 20 feet, except that for the purpose of carrying out an official plan or of improving the appearance or utility of a highway, the O.M.B. may authorize greater set-backs.
SEWERAGE	Environmental Protection Act	56 "Sewage system" means a cess pool, septic tank system, leaching pit, privy, holding tank, etc. and also any works for the handling of hauled sewage.
- certificate of approval		57 No building may be constructed, enlarged or altered if such action affects the operation of the sewage system unless a certificate of approval has first been issued by the Ministry of the Environment. Similarly, no sewage system may be installed or altered without a certificate. 59a No person shall use a new sewage system without first obtaining a permit. 60 An order may be issued against persons operating in contravention of the certificate or permit requirements. If ignored, the work may be undertaken and charged to the owner. 61 No person may construct, clean, repair or empty a sewage system without a licence.

Subject

Reference

Description and Notes

SEWERAGE (CONT'D)

61a A municipality may enter into agreements with the Minister providing for the issuance of certificates of approval, or of permits, or for the making of orders or the carrying out of inspections respecting sewage systems proposed with respect to applications for plans of subdivision or consents, or for the collection of fees for inspections.

61b Applications for approval of plans of subdivision or consents are subject to a fee for each lot. The fee requirement is not applicable to lots of over 10 acres, or to active farms or to subdivisions to be served by a sewage works approved under Section 42 of The Ontario Water Resources Act.

Municipal Act 354(1)

71,72 Council may regulate sewage and drainage and may operate sewerage systems.

129 It may prohibit and regulate the discharge of waste into sewers.

- area rate

Municipal Act 362

(1)-(16) Subject to O.M.B. approval, council may impose a sewer rate on occupants of land who may derive a benefit from sewage works to be constructed. The rate applies only to capital costs and no part of that capital cost may then be assessed under The Local Improvement Act. Lands deriving a deferred benefit may be included as well as those deriving immediate benefit.

(17) Council may also establish a sewage service rate, notwithstanding the work may have been constructed under The Local Improvement Act.

362a Owners of buildings may be required by by-law to connect their buildings with the sewage works.

- public utility commission

Municipal Act 368(5)

The management of a sewerage system may be entrusted to a public utility commission.

Ontario Water
Resources Act
(Environment)

42-51 No sewage works may be constructed or enlarged without a prior permit from the Ministry. Before a municipality extends a sewage works into an adjoining territory, the Minister will hold a public hearing. Application may be made to the O.M.B. for an order for needed road closings, etc. Agreements may be made between the municipalities for the use of the sewage works. The O.M.B. may order an amendment to an O.P. or zoning by-law to permit the use of land for sewage works. Sewage works must always be maintained to the satisfaction of the Ministry.

- project

52 Municipalities may apply to have the Minister build and operate a sewage works as a project.

61 A public sewage service area may be designated by the Ministry and conditions may be imposed in order to regulate, provide or require sewage service in the area.

- boats

62 The Minister may make regulations relating to sewerage, etc. (see Regulation E.P.A. 229/74 and 419/74--pleasure boat sewage discharge).

69,70 An industrial or commercial enterprise may be required by the Ministry to install necessary sewerage facilities and any discharge into sewage works may be prohibited or regulated.

- loans, grants

National Housing Act
Part VIII

50 C.M.H.C. may make loans to assist in the construction or expansion of a sewage treatment project. (Maximum 2/3 of the cost). Alternatively, a grant may be made, not exceeding 25% of the amount of the loan which could have been made.

- regional plan

52 C.M.H.C. may subsidize up to 50% of the cost of preparing a comprehensive regional sewerage plan.

see also LOCAL IMPROVE-
MENTS; PUBLIC UTILITIES;
PUBLIC HEALTH

SHOP

Industrial Safety Act
(Labour)

1(r) "Shop" means a building or a part of a building, booth, stall or place where goods are handled or exposed or offered for sale, or any building or part of a building, booth, stall or place where services are offered for sale

(Cont'd)

Subject

Reference

Description and Notes

SHOP (CONT'D)

		or where goods are manufactured and that is not a factory or a premises or place where homework is done, and includes a restaurant, bowling alley, pool room, billiard parlour and any other building, booth, stall or place designated by the Lieutenant Governor in Council as a shop under section 3, and in all cases includes any land appertaining thereto.
		3 Cabinet may designate any class of premises, shops, factories, offices or office buildings as being subject to this Act.
Shopping area - beautification	see IMPROVEMENT AREAS FOR...	
SIDEWALKS	Public Transportation & Highway Improvement Act	97 A local municipality may construct sidewalks and other improvements with the written consent of the authority having jurisdiction over the road. The cost may be borne out of general funds or by local improvement or be paid by the authority having jurisdiction.
- local improvement	see also HIGHWAY - county road	
SIGNS	Municipal Act	354(1) Council may prohibit or regulate signs and may require that non-complying signs be removed within five years from the coming into force of the by-law. The defacing or removal of lawful signs may also be prohibited. (Check also regional Acts for this sign control authority).
		126-126c, 128
	Public Transportation & Highway Improvement Act 31,35	453(3) Council may permit signs to project over the sidewalk. The Minister has authority to control signing on property within ½ mile of a provincial highway. (See booklet of "Directions regarding Buildings, Structures, Signs and Land Use", and also "Guide Signs for Resorts and Cottages", M.T.C. 1973).
	see also TOURIST ESTABLISHMENTS; HIGHWAYS - gas pumps; signs; OBSTRUCTION OF VIEW	
Site Plan Control	P.A. 35a	The pamphlet "Guidelines For Development Control (Site Plan Control)" is available from the Ministry of Housing.
Site plan agreement	see AGREEMENTS; P.A. 35a	
SITE PLANNING	Central Mortgage & Housing Corporation	The C.M.H.C. site planning handbook contains requirements applied in the review of applications submitted under The National Housing Act, as well as recommended standards designed to contribute to good project design. It includes standards relating to such matters as housing location relative to other uses, amenity areas and privacy zones for multiple housing, planting and public open space, parking area design, etc.
SLAUGHTERHOUSES	Municipal Act 354(1)85	Council may prohibit or regulate and inspect slaughter-houses.
	see also PUBLIC HEALTH - SCHEDULE B; RENDERING PLANT	
Snowmobile	see MOTORIZED SNOW VEHICLES	
Solid waste	see LANDFILL	
Special Care Homes	see HEALTH AND SOCIAL SERVICE INSTITUTIONS - home for special care	
Stables	see GARAGES	
STATUTE LABOUR	Statute Labour Act 3,4 (Transportation & Communications and T.E.I.G.A.)	Applies in every township that has not passed a by-law abolishing statute labour. Every person on the assessment roll is liable to days of statute labour in proportion to his assessment. It may be commuted at not more than \$3 per day. In unincorporated areas, road commissioners may be elected for statute labour purposes and to open roads.

Subject

Reference

Description and Notes

Stock-car racing

see MOTOR VEHICLE
RACING

Stop order

see CONTROL ORDER

STRATEGIC LAND
USE PLAN

A plan to be prepared by the Ministry of Natural Resources stating in very broad terms how the Ministry wishes to use or influence the use of land to meet its objectives.

Street

see LOCAL IMPROVEMENT
ACT; HIGHWAY; ROADS ...

Street lighting

see HYDRO-ELECTRIC POWER;
LOCAL IMPROVEMENTSSTRENGTHENING EXISTING
BUILDINGS

Municipal Act 363(2)

Urban councils may pass by-laws requiring structural changes in buildings being used for purposes for which they are deemed unsuited by an architect or other officer named in the by-law. The use of such buildings may be prohibited until a permit has been obtained.

Student housing

see HOUSING

Subdivision agreement

P.A. 33(5) (d) and
33(6)

Subdivision control

P.A. 29

SUBDIVISION PLAN

Surveys Act (53)
(Natural Resources)

In this Act, a "plan of subdivision" means a plan of subdivision that is registered under The Land Titles Act or under The Registry Act.

SUBDIVISION PLAN AREA

see also P.A. 33; PUBLIC
LANDS - subdivisionRegistry Act 91
(Consumer and Commercial
Relations)

The Director of Land Registration may issue a "Restraining Order" designating any area of land as a "subdivision plan area" and thereupon no land may be conveyed except in compliance with subsection 2 of Section 29 of The Planning Act.

- restraining order

Land Titles Act 162

A similar provision to the above appears in The Land Titles Act but it calls for the preparation of a Judge's Plan. The section has not been used for some years, however. Problems with inadequate boundary descriptions are now handled under The Boundaries Act.

SUBDIVISION ROAD
SUBSIDY

see also JUDGE'S PLAN

Public Transportation &
Highway Improvement
Act 72,80

In general, the construction of new roads in subdivisions is not subsidized, since the developer normally builds these roads. However, in exceptional circumstances, a road may be designated as a main traffic artery and the municipality's expenditure may be eligible for subsidy.

Subsidiary planning
area

P.A. 2(4)

Suburban road

see HIGHWAY -

Suburban subdivision
road ratesee HIGHWAY - township
road

Summer camp

see PUBLIC HEALTH - camps

SWIMMING POOLS

- fences

Municipal Act 354(1)24

Council may pass a by-law to require fencing of private outdoor swimming pools.

- zoning

Planning Act 35

A pool is a structure and is regulated as such in several municipal zoning by-laws.

- public pools

Public Health Act 6

The Minister may make regulations regarding location, maintenance, use, etc.

Subject	Reference	Description and Notes
Tannery	see INDUSTRIAL NUISANCE	
Tax arrears	see LANDS IN TAX ARREARS	
Taxation	see ASSESSMENT; PROVINCIAL LAND TAX	
Termites	see BUILDING BY-LAWS	
Territorial division	see BOUNDARIES	
Tertiary road	see HIGHWAY -	
Tile Drainage	see DRAINAGE	
TOP SOIL REMOVAL		At the time of publication, there appears to be no legislation to adequately control top soil removal. However, the subject is under active study by the government and the reader should check with the Ministry of Agriculture and Food for possible new enabling legislation.
TOURIST ESTABLISHMENTS	Tourism Act (Industry and Tourism)	<p>1 "Tourist establishment" means any premises operated to provide sleeping accommodation for the travelling public or sleeping accommodation for the use of the public engaging in recreational activities, and includes the services and facilities in connection with which sleeping accommodation is provided, but does not include:-</p> <p>(i) a camp operated by a charitable corporation approved under The Charitable Institutions Act, or</p> <p>(ii) a summer camp within the meaning of the regulations made under The Public Health Act, or</p> <p>(iii) a club owned by its members and operated without profit or gain.</p> <p>6 No tourist establishment may be constructed or altered without a permit which must conform with the regulations. An annual licence is also required for all establishments.</p> <p>8 No sign may be displayed which does not comply with the regulations.</p> <p>13 The Minister may make regulations regarding....the content of signs respecting tourist facilities, governing the plans and specifications of tourist establishments, etc.</p>
- signs		
- tourist camps	see TRAILER AND TOURIST CAMPS AND MOTELS	
Township road	see HIGHWAY -	
TRAFFIC	Municipal Act 354(1)107	Council may prohibit heavy traffic as defined in the by-law.
	Highway Traffic Act	135 A by-law for regulating traffic must be approved by the Ministry.
		64-81 Heavy vehicles may be caused to obtain a permit to use certain roads.
TRAILERS (Mobile homes)	Education Act	220 "Trailer" and "Trailer Camp" or "Trailer park" are defined but the definition includes a vehicle more properly called a "mobile home" (See MOBILE HOME herein). A municipality which collects licence fees from "trailers" must pay a proportion of those fees to the school boards, in the same proportion as school taxes bear to total taxes. This does not apply to municipally operated "trailer camps."
- school fees		221 In unorganized territory, a fee of \$5 per month is payable by a trailer occupant to the local public or separate school board, except in July and August and \$2 per month is payable to the secondary school board. No fee is payable if the "trailer" is assessed under The Assessment Act.
TRAILER AND TOURIST CAMPS AND MOTELS	Municipal Act 383.15	Council may regulate and license tourist camps, trailer camps and motels. Minimum trailer lot sizes may be prescribed. Licence fees not exceeding \$20 per month per lot may be charged.
- time limitation	Municipal Act 354(1)	86 Council may prohibit the use of a trailer for more than a specified number of days (not less than 60) in a period of ten consecutive months within any defined area. A trailer is defined as any vehicle so constructed that it is suitable for being attached to a motor vehicle for the

Subject

Reference

Description and Notes

TRAILER AND TOURIST
CAMPS AND MOTELS (CONT'D)

purpose of being drawn or propelled by the motor vehicle and capable of being used for the living, sleeping or eating accommodation of persons, notwithstanding that such vehicle is jacked-up or that its running gear is removed.

A repeal of this section has been enacted, due to come into force on January 1, 1979. Municipalities will, in the interim, have the opportunity to pass zoning by-laws dealing with the use of land for trailers.

- licences

87 Trailers may be licensed for a fee not exceeding \$20 per month, provided they are not assessed under The Assessment Act.

- municipal trailer
camps

88 Municipal trailer camps may be established, fees may be charged and the corporation must reimburse the school boards for each pupil residing in a trailer.

Highway Traffic
Act 1(1)34

Note that this definition includes a boat trailer, ski-doo trailer, u-haul, etc. but NOT a mobile home.

"Trailer" means a vehicle that is at any time drawn upon a highway by a motor vehicle, except an implement of husbandry, a mobile home, another motor vehicle or any device or apparatus not designed to transport persons or property, temporarily drawn, propelled or moved upon such highway, and except a side car attached to a motorcycle, and shall be considered a separate vehicle and not part of the motor vehicle by which it is drawn.

TRANSMISSION LINE

Ontario Energy Board Act 1(21)
(Energy)

"Transmission line" means a pipe line, other than a production line, a distribution line, a pipeline within an oil refinery, oil or petroleum storage depot, chemical processing plant, or pipeline terminal or station.

TRANSMISSION POLES,
WIRES

Municipal Act 354(1)
98 and 101

Council may regulate the erection and maintenance of poles, wires, cables, etc. on highways and public places. This does not, however, confer a power of taxation. (See Coaxial Colourview Ltd. et al vs Borough of Scarborough, 1974).

see also HYDRO-ELECTRIC
POWER

Transportation

see PUBLIC TRANSPORTATION;
RAPID TRANSIT; COMMUTER
SERVICES

TREES

Forestry Act
(Natural Resources)

Provides for furnishing trees to individuals and municipalities and agreements for the Crown to manage forest lands. (Agreement forest).

Public Transportation
and Highway Improvement
Act

27 The Ministry may plant trees upon the King's Highway and charge the cost to maintenance. No person may destroy or injure any tree within the limits of a highway, except with the Ministry's consent. The Ministry may subsidize tree planting adjoining a highway.

- obstructions

31(2)b No person may place a tree or shrub within 150 feet of a King's Highway or 600 feet of an intersection except under permit from the Minister.

98 A municipality or suburban roads commission may plant trees on its roads and charge the cost to maintenance.

Municipal Act 457

Council may authorize the planting of trees on highways and subsidize such planting by individuals.

Conservation Authorities Act
(Natural Resources)

20(p) A Conservation Authority is empowered to plant and produce trees on Crown or other lands.

Trees Act
(Natural Resources)

2 Trees planted on a lot boundary are common property of adjoining owners.

4 County council or council of a separated municipality may regulate and restrict the cutting of trees, with the Minister's approval. Any council in a territorial district also has this authority.

7-12 Councils may acquire and maintain land for forestry purposes and may encourage reforestation on private property by granting exemption from general taxation and by planting and fencing at municipal expense.

Subject	Reference	Description and Notes
TREES (CONT'D)	<p>Crown Timber Act (Natural Resources)</p> <p>see also PUBLIC LANDS -; LOCAL IMPROVEMENTS; OBSTRUCTION OF VIEW; WOODLANDS; P.A. 35a(2)9</p>	<p>This Act deals with the sale of Crown timber, the issuance of licences to cut Crown timber, the requirements for forest management plans, operating plans, annual plans and inventories, the licensing of mills, etc.</p>

Subject

Reference

Description and Notes

Underground wiring	see HYDRO-ELECTRIC POWER -; TRANSMISSION POLES, WIRES	
UNORGANIZED TERRITORY	Public Hospital Act 1(s)	In this Act "unorganized territory" means those parts of Ontario that are without municipal organization, including Indian reservations and provincial parks, but not including property of the Government of Canada used for the purposes of national defence installations, camps or stations.
	Municipal Act 1.26	"Unorganized territory" means that part of Ontario without county organization. For most purposes, unorganized territory simply means lands without municipal organization.
- roads	Public Transportation and Highway Improvement Act 86 Municipal Act 464	The Minister may arrange with a local roads board or with road commissioners or a landowner to construct and maintain a road in unorganized territory. 1 Road allowances in unorganized territory are Crown Land. The Lieutenant Governor in Council (i.e. Cabinet) may close, alter, divert, sell or lease them.
- assessment	Provincial land Tax Act (Natural Resources)	This Act deals with the assessment and taxation of all land situated in territory without municipal organization.
- exempt lands		3 Categories of exempt lands are described (similar to exempt properties under the Assessment Act).
- assessed value		4 The assessed value of land for the purposes of the Act is the price that it might be expected to bring if offered for sale on the open market by a person who is solvent.
- Provincial Land Tax Register		6 Assessment information on unorganized territory is kept in the Provincial Land Tax Register.
	see also PUBLIC HEALTH -; LOCAL ROADS BOARD; P.A. 18 & 23; PUBLIC LAND - restricted area; SCHOOLS -; COMMUNITY CENTRE -	
Urban design	see IMPROVEMENT AREAS FOR BEAUTIFICATION OF SHOPPING AREAS	
URBAN RENEWAL	National Housing Act Part III	22 "Urban renewal area" means a blighted or substandard area of a municipality for which the government of the province in which the area is located has approved the implementation of an urban renewal scheme.
- area		
- scheme		"Urban renewal scheme" means a scheme for the renewal of a blighted or substandard area of a municipality that includes: (a) a plan designating the buildings and works in the area that are to be acquired and cleared by the municipality in connection with the scheme and for making available to persons dispossessed of housing accommodation by such acquisition or clearance, decent safe and sanitary housing accommodation at rentals that, in the opinion of the Corporation, are fair and reasonable having regard to the incomes of the persons to be dispossessed, (b) a plan describing the proposed street pattern and land used for the area, and the program for the construction or improvement in the area of municipal services, schools, parks, playgrounds, community buildings and other public facilities, (c) a description of the methods planned for municipal direction and control of the use of land in the area, including zoning building controls and standards of occupancy of buildings in the area,

Subject	Reference	Description and Notes
URBAN RENEWAL (CONT'D)		<p>(d) a description of the methods planned for the improvement, rehabilitation or replacement of privately owned facilities including housing accommodation, that will continue in the area, and the techniques planned for retarding such facilities from becoming sub-standard, and</p> <p>(e) the estimated costs of the scheme, and that will be developed in accordance or in harmony with an official community plan.</p>
- cost sharing		<p>23 C.M.H.C. may enter into an agreement with a province or municipality to pay one half the cost of preparing an urban renewal scheme.</p> <p>24,25 C.M.H.C. may enter into an agreement to pay one half the cost of implementing an urban renewal scheme, and may in addition make a loan for up to two-thirds of the remaining actual cost of implementation.</p> <p>25.1 Federal urban renewal funding has been cut off for all projects except those underway prior to February 1, 1973.</p>
	<p>see also P.A. 22-28; HOUSING - neighbourhood improvement; Maintenance and occupancy standards</p>	
URBAN SERVICE AREA	Municipal Act 14(12)	<p>The O.M.B. may define urban services and cost of urban services and may establish urban service areas in a municipality enlarged by annexation or amalgamation. The Board may determine how the cost of providing urban services is to be distributed on lands in the municipality.</p>
Urban Transit service area	see PUBLIC TRANSPORTATION	
Utilities	see PUBLIC UTILITIES	
UTILITY LINE	<p>Ontario Energy Board Act 1(23) (Energy)</p>	<p>"Utility line" means a pipeline, a telephone, telegraph, electric power or water line, or any other line that supplies a service or commodity to the public.</p>

V

Subject

Reference

Description and Notes

VACANT LAND
CULTIVATION

Vacant Land Cultivation
Act (T.E.L.G.A.)

Local municipal councils may pass by-laws permitting residents to cultivate vacant land in the municipality, provided the owner is not proposing to use the land for some revenue producing purpose.

VALIDATION OF LOTS

P.A. 29a

A pamphlet entitled "Validation Guidelines" has been produced by the Ministry of Housing. It pertains to lots created in contravention of The Planning Act prior to March 19, 1976.

VEHICLE

Highway Traffic
Act 1(1)35

"Vehicle" includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a motorized snow vehicle or the cars of electric or steam railways running only upon rails.

Veterans' Housing

see HOUSING

VETERAN'S LAND

Veterans' Land Act
(Federal - Veterans'
Affair)

Designed to assist war veterans to settle as full or part-time farmers or as commercial fishermen, this Act provides financial assistance to qualified veterans. The minimum lot area quoted in the Veterans' Land Regulations is one half acre, which may in some cases be reduced by 20%.

Visual pollution

see AESTHETICS

Vocational Schools

see SCHOOLS -

Subject	Reference	Description and Notes
Walkways	P.A. 35a(2)4; see also BICYCLE AND FOOTPATHS	
Waste disposal sites	see WASTE MANAGEMENT	
WASTE MANAGEMENT	Environmental Protection Act 28-48	28 "Waste" includes ashes, garbage, refuse, domestic waste, industrial waste, municipal refuse, etc.
- certificate of approval		30-31 No waste management system or waste disposal site may be established or enlarged without a certificate of approval.
		32 No money may be spent by any municipality for waste disposal without a certificate of approval.
		33 The Minister may tell a municipality to institute a waste collection or management system.
		33a-33b Where a waste disposal site application involves considerable industrial waste, a public hearing must be held by the Ministry unless the situation is deemed an emergency.
		34 No certificate of approval may be issued unless the applicant deposits sufficient funds to ensure satisfactory maintenance of the site or system. Municipal waste disposal sites and systems may also be subject to public hearings.
		40 No waste may be deposited except on a waste disposal site.
- waste disposal wells		46a Reference is also made to waste disposal wells and to compensation for pollution through such wells.
		48 Approval for disposal of waste or mineral water in an underground formation under The Petroleum Resources Act is deemed a certificate of approval.
- types of waste	Regulation 824 (E.P.A.) as amended	2,3 The following types of waste are defined: agricultural wastes, derelict motor vehicles, hauled liquid industrial waste, hauled sewage hazardous waste, incinerator waste, inert fill and processed organic waste.
- waste disposal sites		4 The following types of waste disposal sites are listed and described: composting sites, derelict motor vehicle sites, dumps, grinding sites, incineration sites, landfilling sites, on-site incinerators, on-site garbage grinders, organic soil conditioning sites, packing and baling sites and transfer stations.
- waste management systems		6 The following waste management systems are classified: municipal waste management systems, private waste management systems, individual collection systems, hauled liquid and hazardous waste collection systems, marine craft waste disposal systems and organic waste management systems.
- standards		10-14 Standards are prescribed for land-filling sites, incineration sites, dumps, organic soil conditioning sites, derelict motor vehicle sites and waste management systems.
	Municipal Act 354(1)	76-78 Council may establish a system of garbage collection and disposal, with the approval of the Ministry of Health, and may acquire land for a disposal site in another municipality, by agreement or else with O.M.B. approval, and may levy a special area rate for garbage disposal purposes.
- area rate		116 Council may prohibit or regulate and inspect garbage dumps or waste disposal areas of any kind. (This authority is not abrogated by the Environmental Protection Act, see Raes versus Township of Plympton, 1971.)
WATER CANALS IN SUBDIVISIONS	Municipal Act 360	Councils may accept conveyance of lands in registered plans of subdivision for water canals and may maintain these canals. The cost of maintenance may be apportioned on surrounding property. The use of the canals may be regulated and boat speed limits may be set. Abutting owners may be permitted to construct docks or slips and may be charged an annual fee.
Water control	see CONSERVATION; DRAINAGE; PUBLIC LANDS	

Subject

Reference

Description and Notes

Water management	see CONSERVATION (NATURAL ENVIRONMENT)	
Water pollution	see WATER QUALITY	
Water privilege	see LAKES AND RIVERS -	
WATER QUALITY	Environmental Protection Act 25-27	No person shall add any substance to water that may injure any living thing, except by permit or licence from the Ministry. (No regulations yet).
	Ontario Water Resources Act 30-34 (Environment)	The quality of water may be deemed to be impaired if any material discharged in it may cause injury to any living thing (30). The Minister of the Environment supervises all surface and ground waters. If the quality of a water body is being impaired the Minister may apply for an injunction to prohibit the discharge (31). Pollution of a water body is punishable by a fine of up to \$5,000 for a first offence (32). Every person or municipality responsible for an extraordinary discharge into a water body must notify the Minister. The discharge of any sewage into any water body may be prohibited or regulated (33), and the Ministry may order that necessary equipment be used to alleviate pollution.
- pollution of fish	Fisheries Act 33, 34 (Environment Canada)	The Minister has authority to review the plans for any works that could result in the deposit of deleterious substances in water frequented by fish.
- pollution from vessels	Canada Shipping Act (Transport Canada)	This Act and its regulations provide for the control of pollution from vessels, as determined to be necessary to fulfill Annexes 4 and 5 of the Great Lakes Water Quality Agreement.
	Environmental Contaminants Act (Federal - Environment) (Environment Canada)	This Act is intended to permit regulation of any substance suspected to constitute a danger to human health or the environment. Regulations have not yet been proclaimed but some are being developed for polychlorinated biphenols (PCB's).
	Canada Water Act (Environment Canada)	Designed to permit research, planning and implementation programs for the conservation, development and use of Canadian water resources through formal agreements with the provinces, this Act has to date only introduced a regulation controlling the phosphorus content in detergents.
	see also PUBLIC HEALTH; LAKES AND RIVERS	
Water resources	see WATER QUALITY; WATERWORKS	
WATER SUPPLY	Ontario Water Resources Act 36,37	An area may be defined that includes a source of public water supply and no person may swim in it, impair its quality or diminish the amount available. All large water users (over 10,000 gallons per day) must obtain a permit from the Ministry. This does not apply to farm or domestic purposes.
	see also WELLS; PUBLIC UTILITIES	
Waterways	see NAVIGABLE WATERS; LAKES AND RIVERS	
WATERWORKS	Ontario Water Resources Act	41 No waterworks may be started or enlarged without the prior approval of the Ministry.
		51 Waterworks are required to be maintained to the Ministry's satisfaction.
- projects		52-53 A municipality may apply to the Minister to have him (her) provide and operate its waterworks as a project.
- rate		54 Subject to O.M.B. approval, a waterworks rate and a water service rate may be imposed.
- service area		61 A public water service area may be designated by the Ministry and conditions may be imposed by order to regulate, control, prohibit or provide water service.

Subject	Reference	Description and Notes
WATERWORKS (CONT'D)		
- loans, grants	National Housing Act (M.S.U.A.)	50 C.M.H.C. may make loans to any province or municipality for the construction or expansion of water supply systems, in order to encourage comprehensive land use and residential development in previously undeveloped areas. (Maximum 2/3 of the cost). Alternatively, a grant may be made, not exceeding 25% of the amount of the loan which could have been made.
- regional plan	see also PUBLIC UTILITIES; PUBLIC HEALTH	52 C.M.H.C. may subsidize up to 50% of the cost of preparing a comprehensive regional water supply plan.
Wayside pits	see PITS AND QUARRIES	
WEED CONTROL	Weed Control Act (Agriculture & Food)	6 Every county and regional municipality must appoint an area weed inspector. Other municipalities may appoint a municipal weed inspector.
- entry on private property		10 An inspector may enter at any time between sunrise and sunset upon any land and building other than a dwelling house.
		11 An inspector may order the destruction of noxious weeds and the owner must comply. Provision is made for appeal procedures.
		13 If the owner fails to comply, the inspector may destroy the weeds and charge the owner on his tax bill.
- subdivided areas		14 A municipality may direct its inspector to destroy the weeds on any subdivided property and may recover the cost from the owners in the same manner as taxes.
		19 Sections 11 and 14 do not apply to lands so far distant from any agricultural or horticultural use that the weeds would have no material effect on those uses.
		21 Provision is made for provincial regulations and subsidies.
WELLS	Ontario Water Resources Act 37,39,40	Leaking wells may be regulated by the Ministry. A permit is required to bore a well. Well drillers must be licensed. (Regulation 64B, O.W.R.C. Act).
WILDERNESS AREAS	Wilderness Areas Act (Natural Resources)	2 Cabinet may set aside wilderness areas, which are under control of the Minister.
		3 Nothing in this Act limits the utilization of the natural resources in a wilderness area of more than 640 acres.
		7,8 Regulations may be made for any wilderness area. Contravention are subject to fines of up to \$500.
Wiring	P.A. 38(1)17; see also HYDRO-ELECTRIC POWER - underground wiring	
WOODLANDS	Woodlands Improvement Act (Natural Resources)	1 "Woodlands" means lands having at least 400 trees per acre of all sizes or at least 300 trees per acre over two inches in diameter or at least 200 trees per acre over five inches in diameter or at least 100 trees per acre, measuring over eight inches in diameter, but does not include a plantation established for the purpose of producing Christmas trees.
		2 The Minister may enter into agreements with owners of suitable lands in a private forest management area for the planting of nursery stock and improvement of woodlands.
		3 Cabinet may make regulations designating parts of Ontario as private forest management areas.
Wrecking yards	see JUNK YARDS	

Z

Subject

Reference

Description and Notes

Zoning around
airports

see AIRPORT ZONING

Zoning by-law

RESTRICTED AREA BY-LAW:
P.A. 35

Zoning in
provincial parks

see PROVINCIAL PARKS -
zoning

Zoning on county
road

see HIGHWAY - zoning

Zoning orders

P.A. 32; see also
PARKWAY BELT -

Zoning plans on
public lands

see PUBLIC LANDS - zones





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Community Planning
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Local Planning Policy Branch

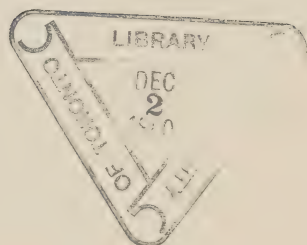
Director
G. Keith Bain

Programs Section

Manager
Gary McAlister
Senior Planner
Pierre Beeckmans

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Foreword to third edition

In the two years since the publication of the second edition, a great many legislative amendments and new policies have been introduced of interest to planners. Almost every page in the 1977 edition has required changes to reflect the current situation. Since this reference work deals primarily with legislation other than The Planning Act, it was decided not to delay the publication of this updated planner's reference until after a new Planning Act is in place. The next edition will reflect any changes resulting from a new Planning Act.

As before, comments from users on changes or improvements which should be made in future editions of this document will be gratefully received and should be addressed to:

G.K. Bain, Director,
Local Planning Policy Branch,
Ministry of Housing,
56 Wellesley Street West,
3rd Floor,
Toronto, Ontario.
M7A 2K4

January 1980

Caution

This reference manual is intended to assist you in finding legislation pertinent to various planning topics. It should not be used as a substitute for the legislation itself; neither should the comments be quoted as being necessarily expressions of government policy or interpretations with official status.

A planner's reference to legislation in Ontario

Purpose

It is assumed that anyone active in planning in Ontario would have a copy of The Planning Act to hand and would be reasonably familiar with it. However, many planning and development matters are affected by statutes other than the The Planning Act and this document is intended to assist a planner in finding relevant information or in refreshing his memory as to its general content. It is not intended to give a comprehensive, detailed record of each of the pertinent items of legislation; reference should be made to the statutes for that purpose. Any planner dealing in depth with a topic would obviously be expected to use the source documents for information. This reference work is intended primarily for the generalist who may be called upon to respond to a variety of municipal planning or related problems and yet lacks either wide and varied experience or a photographic memory, or both.

Content

Urban and regional planners get involved in a great variety of topics and this document includes references to a correspondingly wide spectrum of legislative provisions. Some of them may appear quite esoteric but are included because, in some way, they may be relevant to the control of some feature of our environment in the broad sense.

The bulk of the references are to the Ontario statutes but relevant federal statutes are also included. In addition, where a government policy has been formulated or where a government agency has produced guidelines or particularly useful explanatory material on a referenced topic, this information is noted.

How to use the planner's reference

The material is gathered in alphabetical order by topic but some items may appear as sub-topics (in lower case) of a main entry (in capitals).

E.G. "Low rental housing" is a sub-heading under "HOUSING". A cross-reference appears under "L", both in the index and the main body of the text:

Low rental housing	see HOUSING -
--------------------	---------------

The dash after HOUSING indicates that the title in the left hand column appears as a sub-heading of HOUSING.

If the cross-reference in the index starts with the words "see also" the user should first seek the item listed in the left hand column and, in addition, should refer to the "see also" item.

This reference work was designed to serve people already familiar with The Planning Act. It was nevertheless found convenient to include index reference to this Act, which appears abbreviated as P.A.

The abbreviated name of the ministry responsible for administering the legislation referred to is sometimes shown in brackets after the name of the Act. It is omitted, however, where that information is considered obvious or repetitious. (The Municipal Act and most municipal legislation is administered by the Ministry of Intergovernmental Affairs. The Planning Act and The Ontario Planning and Development Act are administered by the Ministry of Housing).

Subject

Reference

A

Abandoned Buildings	see BUILDING CODE -
ABANDONED MOTOR VEHICLES	
ABANDONED ORCHARD	
Abattoirs	see SLAUGHTERHOUSE
ACCESS TO LIGHT AND AIR	
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Automobile service station	see SERVICE STATION
AUTOMOBILE WRECKING YARD	see also JUNK YARDS

Index

Subject

Reference

B

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BEEES	
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Boarding house	see LODGING HOUSE
BOATHOUSES	
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BODYRUB PARLOURS	see also ADULT ENTERTAINMENT
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Subject

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	49(a)	"Abandoned motor vehicle" means a vehicle that has been left unattended without lawful authority and that appears to an officer, by reason of its age, appearance mechanical condition or lack of licence plates, to be abandoned.
	Regulation 824 (E.P.A.)	1.7a "Derelict motor vehicle" means a motor vehicle that, <ol style="list-style-type: none"> i. is inoperable, and ii. has no market value as a means of transportation, or, has a market value as a means of transportation that is less than the cost of repairs required to put it into operable condition. Derelict motor vehicles are designated wastes pursuant to this Act. Standards are prescribed for the location, maintenance and operation of a derelict motor vehicle site.
ABANDONED ORCHARD	Abandoned Orchards Act (Agriculture and Food)	If an orchard has been designated by the Provincial Entomologist as a neglected orchard, or if no fruit has been produced on it for sale for two consecutive growing seasons, an orchard may be termed to be an "abandoned orchard" and the owner is then obliged to destroy all fruit trees in it. This Act only applies to orchards located within 275 metres of a commercial orchard.
Abattoirs	see SLAUGHTERHOUSES	
ACCESS TO LIGHT AND AIR	Limitations Act 33 (Attorney General)	Generally speaking, a landowner is only entitled to light and air from the vertical column of space above his own property. Rights over neighbouring property may be acquired by agreement in writing. A legal discussion on this subject is contained in "Perspectives on Access to Sunlight" published by the Ontario Ministry of Energy in 1978 and obtainable from the Ontario Government Bookstore.
Access road to provincial park	see PROVINCIAL PARK - access road	
Access to private property	see ENTRY ON PRIVATE PROPERTY; HYDRO-ELECTRIC POWER; PUBLIC WORKS; PUBLIC HEALTH; MOTOR VEHICLE ACCESS TO PROPERTY	
Action to restrain contravention of by-law	see ENFORCEMENT OF BY-LAWS	
ADULT ENTERTAINMENT	Municipal Act 358b see also BODY RUB PARLOURS	"Adult entertainment parlour" is defined. Council may pass a by-law to define the areas in which adult entertainment parlours may be located and may limit their number and regulate their hours of operation.
Aesthetics	see SIGNS; IMPROVEMENT AREAS.....; P.A. 35a; LAKES AND RIVERS -	
Aged	see ELDERLY PERSONS CENTRE; HEALTH AND SOCIAL SERVICE INSTITUTIONS - home for the aged, - nursing home; HOUSING - elderly persons	
Aggregates	see PITS AND QUARRIES	
Agreement forest		see Trees
AGREEMENTS	Municipal Act 343 see also IMPOSTS; P.A. 29(7), 33(6), 35a(4)(b) (Developer's Agreement); subdivision agreement CONDOMINIUM - maintenance agreement; P.A. 35a(6)c	A municipal corporation has a right to enforce a contract or agreement.
Agricultural Code of Practice	see AGRICULTURAL POLLUTION	

Subject

Reference

Description and Notes

Agricultural
Development

P.A. 29(5d);
see also RURAL DEVELOP-
MENT

AGRICULTURAL LAND

see also PUBLIC LANDS -
public agricultural land
committee; RURAL
DEVELOPMENT

The Food Land Guidelines (1978) are a statement of provincial government policy. They are included to assist local municipalities, counties or regions in planning for agriculture in the preparation of official plans or amendments which may affect rural lands.

AGRICULTURAL
POLLUTION

Refer to the Agricultural Code of Practice prepared jointly by the Ministry of Agriculture and Food, the Ministry of the Environment and the Ministry of Housing (1976). It applies to livestock and poultry farms and includes minimum land areas for manure utilization, separation distances from dwellings, guidelines for regulating encroachment on established farms, methods to control water pollution, advice on the disposal of dead animals, etc. (The Code is obtainable from the Ontario Government Bookstore or a local agricultural representative).

AGRICULTURAL
REHABILITATION

Agricultural Rehabili-
tation and Development
Act (Agriculture and
Food)
see also RURAL DEVELOP-
MENT

The provincial government may co-operate with the federal government to undertake projects for the more efficient use and economic development of lands; for the development of income and employment opportunities in rural areas and improving standards of living in those areas; and for the development and conservation for agricultural purposes of water supplies, for soil improvement and for conservation that will improve agricultural efficiency.

AGRICULTURAL WASTE

Environmental Protection
Act, Regulation 824 as
amended

1.3 "Agricultural waste" means waste, other than sewage, resulting from farm operations, including animal husbandry and where a farm operation is carried on in respect to food packing, food preserving, animal slaughtering or meat packing, includes the waste from such operations.

AIR POLLUTION

Environmental Protection
Act, 94 and 22 - 24

The Lt. Gov. in Council may make regulations relating to all manner of pollution. Regulation 15 is the general regulation pertaining to air pollution, including smoke density.

Clean Air Act
(Environment-Federal)

4. The Minister may formulate national air quality objectives, which may be adopted by the provinces.
7. The Federal government may prescribe national emission standards for sources of air contaminants and may prosecute operators in contravention of the standards. This applies only to emissions constituting a significant health hazard or to emissions likely to result in the violation of an international obligation. To date, the only regulations to have been published are those affecting secondary lead processing plants. Regulations are pending for asbestos emissions from mining and milling, mercury from chlor-alkali plants, vinyl chloride from vinyl chloride and polyvinylchloride manufacture and arsenic from a variety of smelting processes.
8. The Minister may publish air pollution guidelines for industrial operations. Published guidelines to date relate to cement plants, asphalt plants, coke ovens and arctic mining.

Air space over
highways

see HIGHWAY - use of
space over

AIRCRAFT NOISE

Refer to "New Housing and Airport Noise" a supplement to C.M.H.C.'s "Site Planning Criteria", and to the Ministry of Housing's "Land Use Policy Near Airports" (March 1978).

AIRPORT

Airports Act 1-5
(Transportation and
Communications)

The provincial government may enter into agreements with a municipality, an individual and the federal government for the establishment or enlargement of an airport. The Minister may acquire, establish, operate and maintain airports; he may provide funds to a municipality or an individual for such purposes.

AIRPORT ZONING

Aeronautics Act
(Transport-Federal)

In the vicinity of an airport, the Minister of Transport may regulate the height of buildings through a zoning plan, registered on title. Persons injuriously affected may recover compensation. Light, smoke and noise which could interfere with airport operations may also be prohibited. Planning guidelines for the use of land outside the airport property boundary are published by the Canadian Air Transportation Administration.

Subject	Reference	Description and Notes
ANNEXATION AND AMALGAMATION	Municipal Act	14(2) Upon an application by a council, by the Minister, or by twenty-five inhabitants of an area, the Municipal Board may order the amalgamation of municipalities or the annexation of all or part of certain municipalities or areas to a municipality or from them to another municipality.
- notice, hearing		(4) The Municipal Board, before making an order with regard to subsection 2, is required to give proper notice and hold a public hearing in order to inquire into the merits of the application and in order to hear any objections to it.
- official plan		(6) The by-law of a municipality, which authorizes an application for amalgamation or annexation under the provisions of this section, may not be invalidated on the ground that it conflicts with the official plan.
- zoning		(18) Zoning by-laws in annexed areas remain in force until repealed by the annexing municipality.
	see also BOUNDARIES	
ANIMALS	Municipal Act 354(1)1-7	Council may prohibit or regulate the keeping of any class of animals or limit the number of animals kept in any defined area. ("Animal" includes birds and reptiles). Establishments for the boarding or breeding of animals may be regulated.
	see also RENDERING PLANT	
Appeals	see PUBLIC PARTICIPATION - appeals	
Archaeological preservation	see CONSERVATION (CULTURAL)	
Architectural preservation	see CONSERVATION (CULTURAL)	
AREA RATE		
- police	Police Act 22	Police costs may be met by levying rates that are different between areas defined by a township council or by levying rates in one or more of such areas only.
	see also DRAINAGE -; IMPOSTS; LOCAL IMPROVE- MENTS; PUBLIC TRANS- PORTATION -; PUBLIC UTILITIES -; RECREATION -; SEWERAGE -; WASTE MANAGE- MENT -; WATERWORKS -; HYDRO-ELECTRIC POWER; IMPROVEMENT AREA FOR THE BEAUTIFICATION OF SHOPPING AREAS; PARKING LOTS; TELEPHONE	
ASSESSMENT	Assessment Act (Revenue)	3 The following types of property are exempt from taxation: Federally or provincially owned land, Indian lands, churches, cemeteries, public or separate school buildings and grounds, universities, seminaries, public hospitals, charitable institutions, industrial farms, scouts and guides property, municipal property, public libraries, horticultural societies, exhibition buildings,
- property exempt from taxation		4 Council may also by by-law exempt land owned by religious institutions and used for recreation.
- business assess- ment		7 In addition to land assessment, a sum computed as a percentage of the land assessment is charged as business assessment.
- market value		27 "Market value" is the amount that land might be expected to realize if sold in the open market by a willing seller to a willing buyer.
- areas exempt from taxation		29 Council must annually pass a by-law declaring what parts, if any, of the municipality are exempt or partly exempt from taxation for expenditures incurred for waterworks, fire protection, garbage collection, sidewalks, pavements, sewers, street lights and street maintenance.
- golf course		31 A golf course may be granted fixed assessment. (Not applicable to buildings, and does not apply to local improvement taxation.)

Subject

Reference

Description and Notes

ASSESSMENT (CONT'D)

see also UNORGANIZED
TERRITORY; CONDOMINIUM -
assessment

Assessment,
Environmental

see ENVIRONMENTAL
ASSESSMENT

Assessment information
for planning

P.A. 7

ASSUMPTION PLAN

Public Transportation
and Highway Improvement
Act 6

This is a plan by the Minister of Transpor-
tation and Communications to establish the
vesting of a highway in the Crown.

Auditorium

see PUBLIC HALL;
RECREATION

Automobile

see MOTOR VEHICLE, CAR
WASH

Automobile service
station

see SERVICE STATION

AUTOMOBILE WRECKING
YARD

Municipal Act 354(1)117

Council may prohibit, regulate and inspect
motor vehicle wrecking yards.

Highway Traffic Act 35

Garage or parking lot operators, motor vehicle
dealers, car wreckers and used car dealers
must obtain a licence from the Ministry. An
appointed officer under the Act or a constable
is authorized to enter any of these premises
for the purpose of investigation and
inspection.

see also JUNK YARDS

Subject	Reference	Description and Notes
Barn	see GARAGE; AGRICULTURAL POLLUTION; BUILDING CODE - farm buildings	
BEACHES AND SHORES	Public Lands Act (Natural Resources)	47 The Minister and any municipality may enter into agreements respecting the control and management by the municipality of any public lands comprised of beaches or lands covered with water.
	Beach Protection Act (Natural Resources)	65 Public land that is a beach and is travelled upon is not by reason thereof a highway within the meaning of any Act. Prohibits the moving of any sand (earth, gravel, etc.) from a bed, beach bank, etc. of any lake, river or stream without a license issued by the Minister. Regulations under this Act do not apply to municipalities or individuals removing sand for their own use; however, individuals must obtain the written consent of the municipality.
	Municipal Act 35a(47,49)	Council may preserve shores, harbours, bays, riverbanks, etc.
	Shoreline Property Assistance Act (Intergovernmental Affairs)	A local council may obtain loans from the Treasurer of Ontario to assist landowners in the construction or repair of dykes or other works for protection against erosion. Building repairs necessitated by damage from flooding, erosion or ice formation are also eligible for loans.
	see also NAVIGABLE WATERS	
Beds of Navigable Waters	see NAVIGABLE WATERS	
BEES	Bees Act 19 (Agriculture and Food)	In a rural area, no person may locate a bee-hive closer than 30 feet to a highway, dwelling or cultivated field, unless they are separated by a 7-foot high solid fence extending at least 15 feet on each side of the hives. In an urban municipality or in a designated suburban district of a township, bee-hives must be at least 100 feet away from a lot line adjoining lands occupied by a dwelling, a community centre, a public park or other place of public assembly or recreation.
BICYCLE AND FOOT PATHS	Municipal Act	352(71a) Council may establish and lay out bicycle paths. This can include land acquisition and is not restricted to using part of a highway. 453(4) Council may set aside a part of a highway as a bicycle or footpath. A relatively permanent arrangement is envisaged, with possible a physical separation of the path from the motor traffic lanes. 460(10) Council may designate a bicycle lane on any road and prohibit its use by other vehicles. The designation may be for such period or periods as may be specified.
Billboards	see SIGNS	
Blighted Areas	see URBAN RENEWAL	
BLOCK OUTLINE SURVEY	Boundaries Act 1(a) (Consumer & Commercial Relations)	"Block outline survey" means a survey in which outline monuments are placed at suitable points at or near some or all highway intersections or angles in highway boundaries, or, in cases where no highway exists, then at other suitable points.
Boarding house	see LODGING HOUSE	
BOATHOUSES	Municipal Act 363(1)	By-laws may be passed by councils of urban municipalities for inspecting boathouses.
BOATING RESTRICTIONS	Canada Shipping Act 635 (Transport - Federal)	Boating Restriction Regulations under this Act are administered by the Ontario Ministry of Natural Resources. Enforcement is usually carried out by O.P.P. but the federal Minister may appoint any official of a federal, provincial, county or municipal government as a peace officer for the purpose of these regulations. Regulations may prohibit all vessels from certain waters, or prohibit power driven vessels, specify maximum speed limits, prohibit water skiing or provide for permits for regattas, marine parades and boat races.
Boats	see PUBLIC HEALTH - ; WATER CANALS	
BODY RUB PARLOURS	Municipal Act 368a	"Body-rub" and "body-rub parlour" are defined. Council may pass a by-law defining the areas in which body-rub parlours may operate and may regulate or prohibit advertising signs promoting body-rub parlours. An M.O.H. a public health inspector or a peace officer may enter a body-rub parlour at any time to enforce the by-law.
	see also ADULT ENTERTAINMENT	
BOULEVARDS	Municipal Act 435(1,2) and 433(1)(e)	Council may set aside part of a highway as a boulevard and permit abutting owners to maintain it. (See also Local Improvements.)

Subject

Reference

Description and Notes

BOUNDARIES

Boundaries Act
(Consumer & Commercial
Relations)

This Act provides for the confirmation of boundaries on a plan which may be in doubt.

Teritorial Division Act
(Intergovernmental
Affairs)

1 The territorial division of Ontario into counties and districts and metropolitan and regional areas is described in this Act.

8-12 The boundaries of townships lying on certain lakes and rivers are described.

13 Where doubt exists regarding the township to which an island or other land belongs, a declaration may be sought under The Municipal Corporations Quieting Orders Act.

14 The Lieutenant Governor in Council may establish new townships, alter the boundaries of territorial districts, alter township boundaries in areas where no letters patent have been issued, and annex any gore or tract of land not forming part of a township to any adjoining township.

BRIDGES

Bridges Act (Transporta-
tion and Communications)

2(1) No bridge may be built, altered or replaced except with the approval of the Lieutenant Governor in Council.

(2) Conditions for approval of the building, altering or replacement of a bridge require:

- (a) a petition requesting such approval
- (b) proof that the plans of the bridge have been deposited with both the Minister and the proper registry or land titles office, and
- (c) proof that notice of such application has been published in the Ontario Gazette and two newspapers having general circulation in the area of the proposed site.

4 Regulations may be made regarding the building, alteration or replacement of a bridge.

Municipal Act
396-438

Various provisions applying to bridges not under the control of the Crown.

see also LOCAL IMPROVE-
MENT; HIGHWAY

Buffer Strip

see LANDSCAPING

Building by-laws

P.A. 38; see also
BUILDING CODE

BUILDING CODE

Building Code Act
(Consumer & Commercial
Relations)

This Act provides the authority for the establishment and enforcement of an Ontario Building Code to replace the building standards established by municipal by-laws and the provincial plumbing code. By-laws passed pursuant to Section 38 of The Planning Act now only apply to existing buildings and minor additions and to used mobile homes. (The White Paper proposed that Sections 38 and 39 be removed from The Planning Act.)

1. The terms "building", "construct", and "demolition" are defined.

3. The council of each municipality is responsible for the enforcement of this Act unless it enters into an agreement for the provision of enforcement with or by another municipality, the county or the province.

5. A building permit, indicating compliance with the conditions and regulations of this Act, is required for the construction or demolition of a building. The municipality and the province may, within their respective jurisdictions, make regulations concerning such things as the amount of information required on permit applications, building permit fees, and the classes of permits required.

6(4) Permits may be revoked: if issued on false information, if the construction is not seriously started within six months or if the construction or demolition is suspended for over a year.

7. Occupation of any part of a new building is prohibited until notice of completion is given and inspection is made and outstanding orders have been complied with.

9. An inspector may prohibit occupancy of an unsafe building until the remedial action he has suggested is taken. If the building is considered by the inspector to be dangerous to the safety of the public it may be repaired, renovated or demolished at the owner's expense.

13. Any dispute with regard to the technical aspects of the building code may be settled before the Building Code Commission whose decision is final

- occupation of new
buildings

- abandoned buildings

- Building Code
Commission

Subject	Reference	Description and Notes
BUILDING CODE (Cont'd)		<p>14. Decisions of the inspector or chief official may be appealed in the district or county court.</p> <p>17. The Building Materials Evaluation Commission is established to examine new materials, new techniques and new building designs and authorize their use.</p> <p>18. Regulations may be made for the purpose of establishing a building code in Ontario governing standards for the construction and demolition of buildings. The nature of these regulations is also described. (See O.Reg 925/75 and any amendments).</p> <p>The Ontario Building Code describes administrative and technical requirements of building design and construction. Certain parts of the Ontario Building Code are relevant to planning procedures.</p> <p>Part 2 Administration</p> <ul style="list-style-type: none"> - describes which parts of the Code govern different classifications of buildings; establishes criteria for professional design and describes procedural requirements during construction; waives requirement for obtaining a building permit in unorganized territory. - a non-residential farm building is exempt from the requirement for a building permit if municipal council has not passed a by-law prescribing a class of permit for such buildings. All non-residential farm buildings must be built in accordance with the Canadian Code for Farm Buildings whether or not a permit is required. - a limit has been placed on the maximum allowable levels of radon gas and its attendant daughter products within buildings in designated areas of Ontario. <p>Part 3 Use and Occupancy</p> <ul style="list-style-type: none"> - applies to "Assembly", "Institutional", "high Hazard Industrial" occupancies and all buildings exceeding 6000 sq. ft. in "building area" or 3 storeys in building height. Requirements for spatial separation may affect site planning. <p>Part 4 Design</p> <ul style="list-style-type: none"> - governs structural design <p>Part 5 Building Requirements for Handicapped Persons</p> <p>Part 6 Building Services</p> <p>Part 8 Demolition</p> <p>Part 9 Housing and Small Buildings</p> <ul style="list-style-type: none"> - requirements for spatial separation between buildings may affect site planning. <p>26. Section 38 of The Planning Act is subject to this Act.</p> <p>Council may permit an inadvertent encroachment and charge an annual fee.</p>
- Building Materials Evaluation Commission		
- Ontario Building Code		
- unorganized territory		
- farm buildings		
- Demolition		
- site planning		
BUILDING ENCRoACHING ON HIGHWAY	Municipal Act 354(1)93	
Building Restoration, Rehabilitation	see CONSERVATION (CULTURAL); HOUSING - O.H.R.P.	
Building Standards	see PUBLIC HEALTH -	
BUILT-UP AREA	Highway Traffic Act 1(1)	<p>1 "Built-up area" means the territory contiguous to a highway not within a city, town, village or police village where,</p> <ul style="list-style-type: none"> i. not less than 50 per cent of the frontage upon one side of the highway for a distance of not less than 200 metres is occupied by dwellings, buildings used for business purposes, schools or churches, or ii. not less than 50 per cent of the frontage upon both sides of the highway for a distance of not less than 100 metres is occupied by dwellings, buildings used for business purposes, schools or churches, or iii. not more than 200 metres of the highway separates any territory described in subparagraph i or ii from any other territory described in subparagraph i or ii, <p>and signs are displayed as required by the regulations.</p>
BUSINESS IMPROVEMENT AREA	Municipal Act 361	<p>Council may designate an Improvement Area and establish a Board of Management to beautify municipally-owned lands, buildings and structures in an area for the purpose of promoting the area as a shopping area. The cost is charged to owners in the area. Low interest loans are available from the Ministry of Housing for communities of less than 30,000 population, under the Main Street Revitalization Program, to assist in implementing a Business Improvement Area.</p>
- Main street revitalization		
- By-law record	see INDEX OF MUNICIPAL	

Subject

Reference

Description and Notes

Cable T.V.	see TRANSMISSION POLES; WIRES	
Camp grounds	see TOURIST ESTABLISH- MENT; TRAILER AND TOURIST CAMPS	
Camps	see PUBLIC HEALTH -; HEALTH AND SOCIAL SERVICE INSTITUTIONS - charitable institution; PUBLIC LANDS - summer resort location	
Canals	see WATER CANALS IN SUBDIVISIONS	
CANOPIES	Municipal Act 453(3)	Council may permit canopies to project over the side- walk and may levy an annual fee.
CAPITAL LEVIES		Special capital levies are authorized in The Local Improvement Act, The Tile Drainage Act, The Drainage Act, The Telephone Act and The Police Act (sée AREA RATE).
	see also IMPOSTS	
CAR WASH	Municipal Act 354(1)134	Council may license, regulate and govern the owners or operators of car washes.
Car wreckers	see JUNK YARDS	
Caution on title	see DEED RESTRICTIONS	
CEMETERY	Cemeteries Act (Consumer & Commercial Relations)	1 Columbarium, crematorium, mausoleum and cemetery are defined. 5 No cemetery may be established or enlarged except with Ministry approval. 41 Establishment and enlargement may occur by expropriation. 63 The closing of a cemetery requires an order of Cabinet. 58,59 Removal of bodies requires the assent of the Cabinet. A comprehensive revision of The Cemeteries Act was given first reading on October 25, 1979.
Census Farm	see FARM	
Canada Mortgage and Housing Corporation (C.M.H.C.)	see HOUSING (National Housing Act)	
CERTIFICATE OF COMPLIANCE		The Agricultural Code of Practice refers to a Certifi- cate of Compliance which is issued following an evaluation of a livestock production unit, its manure system and quality of management. The certificate is issued jointly by the Ministries of the Environment and Agriculture and Food and it attests to a farmer's ability to control pollution.
	see also P.A. 36(22) and 38(26)	
Certificate of occupancy	P.A. 35(4)	
Checkerboarding	see PARTITION	
CITIZEN ADVISORY COMMITTEE	Ontario Planning and Development Act 3, 6(1)(c)	'These committees consist of persons appointed by the Minister and are intended to advise the Minister with respect to the preparation and implementation of a "development plan". Two committees must be formed in each development planning area: one to represent the municipalities, and one to be broadly representative of the people of the area.
Citizen Partici- pation	see PUBLIC PARTICIPATION	
Charitable Institution Children's Boarding Home Children's Institution Children's Mental Health Centre Children's Mental Hospital	see HEALTH AND SOCIAL SERVICE INSTITUTIONS -	
CLOSING ORDER	see BODY RUB PARLOUR MOTOR VEHICLE ACCESS TO PROPERTY	
Columbarium	see CEMETERY	

Subject	Reference	Description and Notes
COMMERCIAL MOTOR VEHICLE	Highway Traffic Act (1)3	"Commercial motor vehicle" means a motor vehicle having permanently attached thereto a truck or delivery body and includes ambulances, hearses, casket wagons, fire apparatus, police patrols, motor buses and tractors used for hauling purposes on the highways.
Committee of Adjustment	P.A. 31, 41, 42	
Common road	see MOTOR VEHICLE ACCESS TO PROPERTY	
COMMUNITY CENTRE	Community Recreation Centres Act (Community and Social Services)	1(1)e "Community Recreation Centre" means land or all or any part of a building or buildings or structures established in accordance with this Act that is maintained and operated for community recreation activity. (A community centre established under The Community Centres Act is deemed a Community Recreation Centre).
- unorganized territory		2 Council may by by-law establish and operate community recreation centres and may grant them aid.
- joint use		3 In unorganized territory a board with jurisdiction may establish and operate community recreation centres.
		4 Councils may enter into agreements for joint use of community recreation centres and may appoint a committee of management.
		6,9 The Minister may make grants to municipalities and boards for community recreation centre purposes.
		12 Cabinet may make regulations for community recreation centres.
	see also RECREATION	
COMMUNITY IMPROVEMENT	National Housing Act Part VII.1	54.1 After March 31, 1980, C.M.H.C. may help a provincial or local government pay for community services. The agreement must be approved by the federal cabinet. Community services could include a wide variety of neighbourhood improvements, from sewer and water mains to social and recreational facilities and public non-profit housing. The Ontario Ministry of Housing participates through its Community Services Contribution Program.
		A "Community Improvement Resources Kit" is published by the Community Renewal Branch of the Ministry of Housing. It describes available federal and provincial programs and sources of assistance.
Community-sponsored housing	see HOUSING - non-profit or community sponsored housing	
COMMUTER SERVICES	Commuter Services Act (Transportation and Communications)	This Act establishes the framework for the operation of commuter services by the provincial government and municipalities.
Compiled plan	see JUDGE'S PLAN; MUNICIPAL PLAN; REGISTRAR'S COMPILED PLAN	
COMPLETE SURVEY	Boundaries Act 1(b) (Consumer & Commercial Relations)	"Complete survey" means a survey that defines on the ground every angle of every parcel in the area surveyed.
COMPOSITE PLAN	Land Titles Act 164 & 171(a) (Consumer & Commercial Relations)	Similar to a Judge's Plan but applies to crown land. Application is made by the Minister of Natural Resources to the Director of Land Registration. The provisions of The Planning Act with respect to approval of plans of subdivision are not applicable to composite plans.
COMPOSITE TOWNSHIP	(Treasury Library definition)	A township municipality composed of more than one geographic township, or composed of a geographic township and an area such as a mining location or a large island or improvement district.
CONDOMINIUM	National Housing Act (C.M.H.C.)	2 "condominium unit" means a bounded space in a building designated or described as a separate unit on a registered condominium or strata lot plan or description or similar plan or description registered pursuant to the laws of a province and intended for human habitation, and includes any interest in land appertaining to ownership of the unit. ("Strata plan" is a synonym for "condominium plan" in common usage in British Columbia).
- strata plan	Condominium Act (Consumer & Commercial Relations)	The Report of the Ontario Residential Condominium Group contains a chart of the approval process and other useful information. It is obtainable from the Ontario Government Bookstore, priced at \$2.50. Many changes were made to the Act in 1979 following recommendations in that report. Details regarding procedures for condominium development are governed by regulations pursuant to Section 59 of the Act.
		50 The owner of a rented unit is still responsible for common expense fees, but the Corporation may require a tenant to pay any such fees in default and deduct the amount from the rent.

Subject

Reference

Description and Notes

CONDOMINIUM (Cont'd)

		51 This Section relates a condominium application to the subdivision control provisions of The Planning Act.
- Condominium Ontario		57 "Condominium Ontario" is an independent organization providing legal, technical and information services and assistance in the resolution of disputes. It appoints a review officer with powers to settle disputes between unit owners or between individual owners and a corporation. His order can be enforced as a court order if not complied with but it is subject to appeal within 21 days to the Commercial Registration Appeal Tribunal.
- assessment	Assessment Act (Revenue)	90 The assessment of condominium and cooperative units is to be based on the same criteria as owner-occupied single family residences in the same vicinity.
- maintenance agreements	Municipal Act 354(1) 62a	Council may enter into agreements with condominium corporations for road maintenance, snow clearing, sewer and water pipe maintenance, etc. on the condominium property.
Connecting link	see HIGHWAY -	
Consent	P.A. 29	
CONSERVATION (CULTURAL)	Ontario Heritage Act (Culture & Recreation)	Part I This part establishes the overall responsibility of the Minister for heritage conservation, protection and preservation.
		Part II The Ontario Heritage Foundation is appointed by Cabinet. It may acquire and hold property, make grants, advise the Minister, etc.
- easements		A conservation or heritage easement is a legal agreement by which the owner of a property transfers to another person or body the right to approve decisions concerning demolition, addition or alteration of heritage elements of his property. Easements or covenants entered into by the Ontario Heritage Foundation may be registered against real property and shall run with the property. The easements or covenants made may be of a positive or negative nature and the Foundation may enforce such easements or covenants even where it owns no land which could be accommodated or benefitted by such an easement or covenant. A municipal council may also enter into a conservation easement agreement without the necessity of designating the property to be of historic or architectural interest under Part IV of the Act.
- conservation review board		Part III A conservation Review Board is appointed by Cabinet to hear appeals under Parts IV and VI.
- local architectural conservation advisory committee (L.A.C.A.C.)		Part IV Individual properties may be designated by a municipality, which may consult a Local Architectural Conservation Advisory Committee. Properties designated by by-law as being historically and/or architecturally significant previous to the passing of this Act are also covered by the provisions of this Part. There is provision for hearings, appeals, etc. Council approval is required prior to alterations or demolitions. Council may acquire or expropriate the properties or may make grants for alterations. Council may also acquire easements, or enter into covenants and may even assign them to any person if desired.
- heritage conservation districts		Part V If the official plan so provides, a whole area may be designated by a municipality as a Heritage Conservation District. The by-law requires an O.M.B. hearing and approval. It provides protection against demolitions, alterations, removals or erections, but demolition or removal can only be denied for 180 days. Council may also acquire or lease a designated property.
		Part VI Archaeological exploration is only permitted by licence from the Minister. After due notice, property may be designated as archaeologically or historically significant. Thereupon no excavation, alteration or removal of objects may occur except by permit from the Minister. The Minister may also issue a 180 day stop order if a property is likely to be damaged by commercial, industrial or other development. Compensation is provided for.

The following background material, prepared by the Ministry of Culture and Recreation, is available from the Ontario Government Bookstore:

"Guidelines on the Designation of Heritage Conservation Districts".

"Guidelines for the Designation of Buildings of Architectural or Historic Importance - a Handbook for Municipal Councillors".

"Archaeology and the Law in Ontario".

Historic Sites & Monuments Act (Environment - Federal)

A nation-wide inventory of historic buildings is in progress. Provision is made for Federal financial involvement but it has not been substantial in Ontario.

Subject	Reference	Description and Notes
Conservation (Housing)	see HOUSING - neighbourhood improvement	
CONSERVATION (NATURAL ENVIRON- MENT)	Conservation Authorities Act (Natural Resources)	2,3 A Conservation Authority may be established by Cabinet upon request of municipalities in a watershed. Where a Region exists, it is the sole participating municipality for its area.
		19,20 The powers and objectives of an Authority are described. They include an involvement in the management of all natural resources other than gas, oil, coal and minerals. Specifically: dams, reservoirs, parks and recreation and tree planting are mentioned.
- hazard land		27 Subject to Cabinet approval, an Authority may regulate: the use of water from rivers and lakes, interference with a watercourse, the location of irrigation ponds, the erection of structures in the "regional storm" flood plain, and the dumping of fill.
		31 If a project affects Crown Land, a public work, a Hydro project or a road, a plan must be filed and approval obtained from the appropriate Minister.
	see also: AGRICULTURAL REHABILITATION; HAZARD LAND; BEACHES AND SHORES	
Conservation Review Board	see CONSERVATION (CULTURAL) -	
Contracts	see AGREEMENTS; MONEY BY-LAWS	
Controlled access highway	see HIGHWAY -	
Controlled access road	see HIGHWAY -	
CONTROL ORDER	Environmental Protection Act 69-76	The Ministry may issue control or stop orders to reduce or stop pollution of the natural environment.
CONVEYANCE	Conveyancing and Law of Property Act 1(1) (Attorney General)	"Conveyance" includes an assignment, appointment, lease, settlement, and other assurance, made by deed, on a sale, mortgage, demise, or settlement of any property or on any other dealing with or for any property and "convey" has a meaning corresponding with that of conveyance.
	Land Transfer Tax Act (Revenue)	1(1)c "conveyance" includes any instrument or writing by which land is conveyed and includes a final order or foreclosure under any mortgage or charge affecting land.
	see also P.A. 29	
Co-operative housing	see HOUSING -; CONDOMINIUM - assessment	
Cottage	see PUBLIC LANDS - summer resort location	
COUNTY	P.A. 1(g) and 28	The general definition of a municipality in The Planning Act excludes a county; consequently the planning authority of a council is not given to a county except when specifically stated (as in section 28).
	Municipal Act 1 and 7	The Municipal Act differentiates between a "local municipality", which excludes a county, and a "municipality", which is defined as "a locality the inhabitants of which are incorporated." (includes a county)
	see also HIGHWAY - county road, - zoning, - gas pumps, signs - suburban road	
County road	see HIGHWAY -	
COVENANT	Conveyancing and Law of Property Act 62 (Attorney General)	A covenant or condition running with the land may be modified or discharged by order of a judge of the Supreme Court or of a judge of the county or district court. This does not apply to any building restriction imposed by a by-law under The Municipal Act or The Planning Act.
	see also: DEED RESTRICTIONS	
Crematorium	see CEMETERY	
Crown land	see PUBLIC LANDS	
Culverts	see HIGHWAY -; DRAINAGE	

Subject

Reference

Description and Notes

Dams	see LAKES AND RIVERS; CONSERVATION; DRAINAGE; PUBLIC LANDS -	
DANGEROUS MANUFACTURES	Municipal Act 354(1)35	Council may prohibit or regulate the carrying on of trades that may be a fire hazard.
Day Nursery	see HEALTH AND SOCIAL SERVICE INSTITUTIONS -	
Dead Animals	see RENDERING PLANT; AGRICULTURAL POLLUTION	
DEBENTURES	Municipal Act 287-301 see also MUNICIPAL BOARD	Under the heading "Money By-laws" the Municipal Act deals with debentures, municipal debt and contracts for the supply of public utilities.
DEED RESTRICTIONS	Land Titles Act (Consumer & Commercial Relations)	128 A land owner may apply to the Land Registrar to have conditions or restrictions entered on the register (i.e. on title) which bind subsequent owners not to do certain things without authorization from named persons. 129 Covenants, conditions and restrictions may be con- tained in a transfer (i.e. deed) or may be registered pursuant to an application. To be registrable, such covenants, conditions and restrictions must run with or be capable of being legally annexed to land. 143 A caution on title has the effect that no dealing with the land may occur without the consent of the cautioner. 144 A registered caution expires automatically in five years unless renewed. The owner of land affected by a caution may apply to the Land Registrar to have the caution removed at any time.
Delegation of Minister's Power	P.A. 44b	
DEMOLITION	Building Code Act 1(f) (Consumer & Commercial Relations) Ontario Building Code Part 8	"demolition" means the doing of anything in the removal of a building or any material part thereof.
Demolition control	P.A. 37a	Section 37(a) of The Planning Act gives municipal councils the authority to decide whether a residential building in a defined area may be demolished. If council agrees, then the Building Code governs <u>how</u> the building should be demolished.
Derelict motor vehicles	see ABANDONED MOTOR VEHICLES	
Design control	see Development control	
Developers' agreements	see IMPOSTS; P.A. 33(6)	
Development control	see NIAGARA ESCARPMENT -; Site Plan Control: P.A. 35a	
DEVELOPMENT PLAN	Ontario Planning and Development Act (Treasury & Economics)	2. "Development plan" means a plan, policy and program, or any part thereof, approved by the Lieutenant Governor in Council, covering a development planning area or a por- tion thereof, as defined therein, designed to promote the optimum economic, social, environmental and physical condition of the area, and consisting of the texts and maps describing the program and policy. Section 5 to 17 of the Act contain provisions relating to the preparation and implementation of a development plan. The Parkway Belt West Plan is the first plan to be prepared as a development plan.
Development road	see HIGHWAY -	
DEVIL STRIP	Municipal Act 460(7)	The area between two sets of tracks of a street railway is called a devil strip.
DISTILLERIES	see INDUSTRIAL NUISANCES	
Domestic animals	see ANIMALS	
Downtown revitalization	P.A. 22-24 see also BUSINESS IMPROVEMENT AREA	
DRAINAGE	Drainage Act (Agriculture and Food)	The Act contains various provisions permitting indivi- duals and municipalities to initiate and maintain drainage works. 1(11) "drainage works" includes a drain constructed by any means including improving a natural watercourse, and includes works necessary to regulate the water table or water level within or on any lands or to regulate the level of the waters of a drain, reservoir, lake or pond, and includes a dam, embankment, wall, pro- tective works or any combination thereof.

Subject	Reference	Description and Notes
DRAINAGE (Cont'd)		<p>2-10 These sections describe procedures and requirements needed to construct mutual agreement, requisition, and petition drains.</p> <p>11-20 An engineer's report is required to determine the scope and nature of any drainage project to be undertaken.</p> <p>21-46 The assessment of the costs and benefits of the drainage works are estimated for the affected properties.</p> <p>47-59 Appeals regarding the technical aspects of drainage proposals may be taken to the Ontario Drainage Tribunal. Legal questions may be appealed to the referee.</p> <p>60-61 A council raising money to pay for drainage works must impose a special levy upon the land assessed for the works.</p> <p>83(1) Except as authorized by an M.O.E. approved by-law, no person may discharge into a drainage works any substance other than unpolluted drainage water.</p> <p>85-90 Provincial grants to aid in the construction of drainage works range from 33 1/3% in counties to 80% in unorganized territories.</p>
- cost and benefit assessment	(Sections 85a(2), 85b and 87(3) were not proclaimed at the time of publication)	
- appeals		
- area levy		
- expropriation	Expropriations Act (Attorney General)	2 The Expropriations Act does not apply to land used under the authority of The Drainage Act.
- urban drainage	Municipal Act 354(1)69 & 73; 352(16)	<p>Council may require and regulate private drains; and may construct service drains from a sewer to the line of the highway. Council may construct drainage and sewerage systems and flood control works.</p> <p>The Province of Ontario has prepared model policies for urban drainage management which were not yet officially adopted at the time of publication. Enquiries should be directed to the Water Resources Branch of the Ministry of the Environment.</p>
- tile drainage	<p>Agricultural Tile Drainage Installation Act</p> <p>Tile Drainage Act (Agriculture and Food)</p>	<p>This Act provides for the regulation and licensing of tile drainage installation operators.</p> <p>This Act provides for loans to farmers from municipalities to construct tile drains. Loans are repaid by a rate levied on the property and financed in the interim by municipal debentures sold to the Treasurer of Ontario. Loans must be repaid in full, plus interest, if the land is taken out of agricultural use before the loan is repaid. Where a council refuses an application or reduces the amount applied for, the applicant may appeal the decision to the Ontario Drainage Tribunal.</p>
Dumping of fill	see CONSERVATION; PUBLIC LANDS -; NAVIGABLE WATERS	
Dumps	see WASTE DISPOSAL; LANDFILL	
Dwelling Unit	P.A. 35b(2); see also HOUSING - family housing unit	

Subject	Reference	Description and Notes
EARLY CLOSING BY-LAWS	Municipal Act 355-358 see also HOLIDAY CLOSINGS FOR RETAIL BUSINESS	Council may regulate the closing hours of shops, gas stations and hotels. "Shop" is defined.
EASEMENTS - condominium	Condominium Act (Consumer & Commercial Relations)	8(1) Easements are relevant for single units in allowing for servicing, repairing damage and the support of common elements. (2) Easements are relevant for commons for servicing and for providing support.
- conveying land	Conveyancing and Law of Property Act 15 Limitations Act 35 (Attorney General)	Easements are included in the conveying of property. No easement in respect of wires or cables attached to property or buildings or passing through or over such property may be acquired except from the owner.
- heritage	see CONSERVATION (CULTURAL) -	
Ecology	see ENVIRONMENTAL ASSESSMENT; WASTE MANAGEMENT	
ELDERLY PERSONS CENTRE	Elderly Persons Centres Act (Community and Social Services)	3 Council may, with the Minister's approval, establish and subsidize social and recreational centres for elderly persons. 4 Cabinet may make grants toward the establishment and maintenance of such centres, and may make regulations governing them.
Elderly persons housing	see HOUSING -; HEALTH AND SOCIAL SERVICE INSTITUTIONS - home for the aged	
ENCUMBRANCE	Condominium Act 1(k) (Consumer & Commercial Relations) Land Titles Act (Consumer & Commercial Relations)	"Encumbrance" means a claim that secures the payment of money or the performance of any other obligation, and includes a charge under The Land Titles Act, a mortgage and a lien. Zoning and subdivision control do not, of themselves, constitute an encumbrance on title within the meaning of The Land Titles Act.
ENFORCEMENT OF BY-LAWS	Municipal Act 469	Where council has authority to require that something be done and the person required to do it fails to ful- fill that obligation, council may do it at his expense and charge the cost to him on his tax bill. (Reference to this clause must be made in the enabling legislation relating to the specific authority).
- fines	Municipal Act 466	Council may impose fines of up to \$1,000 for any municipal by-law infraction.
- action to restrain contravention of by-law	Municipal Act 470, 469a	In addition to any other remedies, a by-law contraven- tion may be restrained by a ratepayer, the corporation, or a local board. A court may make an order prohibiting the continuation or repetition of an offence.
ENTRY ON PRIVATE PROPERTY	Interpretation Act 27(b) (Attorney General) see also HYDRO ELECTRIC POWER -; PUBLIC WORKS; WEED CONTROL; AUTOMOBILE WRECKING YARD; SPILL	"In every Act, unless the contrary intention appears, where power is given to a person, officer or functionary to do or to enforce the doing of an act or thing, all such powers shall be understood to be also given as are necessary to enable the person, officer or functionary to do or enforce the doing of the act or thing". Some acts include specific reference to the authority to enter on private property. For instance, Section 36 of The Planning Act re maintenance and occupancy or paragraph 41 of Section 354(1) of The Municipal Act re fire matters. Section 8 of The Industrial Safety Act authorizes an inspector to enter any property at any time without a warrant except that he may not enter a place actually used as a dwelling without the occupier's consent unless he has a search warrant. Other areas of legislation include no such reference and the courts would be required to determine if entry were legally permissible.
ENVIRONMENTAL ASSESSMENT	Environmental Assessment Act (Environment)	This Act provides for the assessment of the effects on the environment of public and private projects. "Environment" is defined to mean the human as well as the natural environment of Ontario. It includes social, economic and cultural factors and their inter- relationships. "Environmental assessment" is the identification, interpretation and evaluation of the effects of an action and its alternatives on the environment.

Subject	Reference	Description and Notes
ENVIRONMENTAL ASSESSMENT (Cont'd)		<p>1(0) A project or "undertaking" is defined as an enterprise or activity of a government or public body or a major commercial or business activity or enterprise. (A more precise definition is contained in the regulations pursuant to section 41).</p> <p>5 No project, to which the Act applies, may proceed unless the Minister has accepted an environmental assessment of the project and approved the undertaking. The required content of an environmental assessment is described.</p> <p>9-11 If the Minister finds that the submitted environmental assessment provides satisfactory grounds on which to judge the undertaking he will accept the assessment. If, however, the assessment is found to be unsatisfactory, the Minister may amend the assessment after he has notified the proponent and other interested parties of this intention and has received no adequate supplementary submissions. In order to amend the assessment, the Minister may require the proponent to do further research.</p> <p>12-13 Decisions regarding an environmental assessment may be appealed to the Environmental Assessment Board unless the Minister deems these objections frivolous.</p> <p>14 After the acceptance of the assessment, the Minister may approve the undertaking with or without conditions or reject it.</p> <p>25 The Minister may designate provincial officers to make or require such tests or inquiries as are necessary to ensure the enforcement of the Act.</p> <p>30 The Minister may, with Cabinet approval, exempt any undertaking from the application of the Act, where he is of the opinion that such exemption is in the public interest.</p> <p>41 Regulations may be made under this section to define what is meant by a major business or commercial enterprise or activity, or by a public body, or an undertaking to which the Act applies. These regulations also denote what sort of undertaking may be exempted from the provisions of the Act and what additional information should be contained in an environmental assessment.</p>
- appeal		
- exemptions		
- regulations		
	Regulation 836/76	<p>Ontario projects which require assessment as part of the planning process include: new provincial highways, sewage and water treatment plants, master plans for parks, major building complexes and electrical generating plants and transmission lines.</p> <p>A regulation covering Conservation Authorities came into force in 1977. The municipal sector is expected to come under the Act late in 1979. Both these sectors are subject to phased implementation. General regulations for the private sector are in the early stages of preparation.</p> <p>Information on Environmental Assessment Act designations and exemptions appears regularly in E.A. Update, a periodical digest which may be obtained by writing to E.A. Update, Information Services Branch, Ministry of the Environment, 135 St. Clair Avenue West, Toronto.</p> <p>General Guidelines for the Preparation of Environmental Assessments are available for \$0.50 from the Environmental Approvals Branch.</p>
ENVIRONMENTAL ASSESSMENT BOARD	Environmental Assessment Act (Environment) Part III	This Board hears appeals from decisions made under The Environmental Assessment Act, The Environmental Protection Act, and The Ontario Water Resources Act. It replaces the Environmental Appeal Board. Any decision of the Board is final unless, within a specified time, the Minister changes the decision with regard to the undertaking. The hearings of the Board are open to the public, unless the disclosure of intimate personal and financial facts causes the Board to decide to hold them <u>in camera</u> .
Environmental Protection Act	see SEWERAGE; WATER QUALITY; WASTE MANAGEMENT; SPILL	
Erosion Control	see CONSERVATION (NATURAL ENVIRONMENT)	
Escarpment	see NIAGARA ESCARPMENT	
ESTATE RESIDENTIAL DEVELOPMENT		A pamphlet entitled "Rural Estate Guidelines" has been produced by the Ministry of Housing and is available from the Ontario Government Bookstore for \$1.00.
ESTHETICS	see Aesthetics	
Exemptions from taxation - areas or property	see ASSESSMENT	

Subject

Reference

Description and Notes

EXPLOSIVES

Municipal Act 354(1)9-18

Council may regulate storage of inflammable or explosive substances and may prohibit the manufacture of such substances.

see also DANGEROUS
MANUFACTURES

Expressway

see HIGHWAY -

EXPROPRIATION

Municipal Act

5 Unless otherwise expressly stated, when in any Act a municipality is given the power to acquire land, it includes the power to expropriate.

335-338 Council may pass by-laws to expropriate land, even in another municipality, with O.M.B. approval.

Expropriations Act
(Attorney General)

Various provisions. Notice of application to expropriate must be served on the owner, who may request a hearing. The approving authority is either a council, a school board or a Minister.

9 Where appropriate, land may be expropriated for a limited period.

13 Compensation is based on market value plus any disturbance considerations, including disturbance to a tenant, and injurious affection.

- relocation
costs

18(1) The expropriating authority must pay to an owner such reasonable costs as are the natural and reasonable consequences of the expropriation, including moving costs, legal and survey costs incurred in acquiring other premises, compensation for inconvenience and an allowance for improvements not reflected in market value. Tenants may also be eligible for compensation for disturbance and the loss of a lease.

- Land Compensation
Board

26,28 A Land Compensation Board may determine the compensation to be paid if the parties cannot agree. Appeal lies to the Court of Appeal.

30(a) When a landowner agrees to the acquisition of his land by a statutory body his compensation may be determined by arbitration at the O.M.B.

Expropriation Act
(Federal: Public Works)

The federal government may expropriate land that is required by the Crown for any public purpose. Some expropriations are governed by the Railway Act. Provision is included for notice, public hearings, compensation, negotiation, etc.

see also HOUSING -;
DRAINAGE -

Extension or enlarge-
ment of non-conforming
use

P.A. 35(21) and 42(2)

Subject	Reference	Description and Notes
FACTORY	Industrial Safety Act (Labour)	1(f) "Factory" means a premises or place, including any land appertaining thereto, other than a premises or place where homework is done, <ul style="list-style-type: none"> (i) where any manufacturing process or assembling in connection with the manufacturing of any goods or products is carried on, (ii) where any form of thermal, hydraulic, electrical, aero-dynamic, kinetic, chemical, nuclear, solar or other form of energy is used to work any machinery or device, or where any form of such energy is modified in any manner in preparing, inspecting, manufacturing, finishing, repairing, warehousing, cleaning or adapting for hire or sale any substance, article or thing, or (iii) wherein the employer of the persons working there has the right of access and control, and wherein any manual labour is exercised by way of trade or for purposes of gain in or incidental to the making of any goods, substance, article or thing or any part thereof, or the altering, demolishing, repairing, maintaining, ornamenting, finishing, storing, cleaning, washing or adapting for sale of any goods, substance, article or thing, and includes a plant used for the maintenance of aircraft, locomotives or vehicles used for transport purposes, and any other building, premises, shop, workshop, structure, room or place, including any land appertaining thereto, designated by the Lieutenant Governor in Council as a factory under section 3.
Family housing unit	see HOUSING -	
FARM	1976 census definition	A census farm is defined as a farm, ranch or other agricultural holding of one acre or more with sales of agricultural products, during the 12-month period prior to the census, of \$1,200 or more.
	see also HOUSING -	
Farm buildings	see BUILDING CODE	
Farm Consolidation and Enlargement	see RURAL DEVELOPMENT	
FENCES	Municipal Act 354(1)19-24	Council may prescribe the height and description of lawful fences. S.S. 24 refers in more detail to fences around private swimming pools.
	Snow Roads and Fences Act (10-12) (Intergovernmental Affairs)	Council may pass by-laws requiring owners of land bordering a public highway to remove any fence that causes an accumulation of snow on any property adjoining a highway.
	Line Fences Act, 1979 (Intergovernmental Affairs)	The 1979 Act is a major update of the previous Act. Provision is made for the construction of boundary fences between adjoining lands and for arbitration by fence-viewers in case of dispute. If necessary, fence-viewers may prescribe the character of a fence to suit the circumstances.
	Public Transportation and Highway Improvement Act 27(8)	The Ministry may enter on any property adjoining a highway to erect snow fences. It also has control over private fences adjoining a highway (see "Highway").
	see also OBSTRUCTION OF VIEW; P.A. 35a(6)(a)6	
FERRIES	Public Transportation and Highway Improvement Act 91a	The Minister may operate a ferry service and may subsidize a municipality to operate a ferry.
	Ferries Act (Transportation and Communications)	1 The Lieutenant Governor may license a ferry under the Great Seal for a term of up to seven years at a time.
		5 A township, town or village council may establish, operate, license and regulate ferries, with the approval of the Lieutenant Governor in council. A county council has similar power for an operation between different municipalities.
Fill	see CONSERVATION (NATURAL ENVIRONMENT); LANDFILL; WASTE MANAGEMENT	
Fines	see ENFORCEMENT OF BY-LAWS -	
FIRE MATTERS		The Ontario Building Code provides for fire safety in all new construction. An Ontario Fire Code, now in draft, is intended to consolidate regulations from some 63 separate acts.
	Municipal Act 354(1)25-45	Council may prohibit or regulate various matters for fire safety, including prohibiting wooden buildings or fences and requiring buildings and yards to be put in a safe condition.

Subject

Reference

Description and Notes

FIRE MATTERS (Cont'd)

- area rate	Municipal Act 376-1	A township council may levy an area rate to meet the cost of fire protection in a defined area.
	Fire Department Act (Solicitor General)	1-10 Various provisions relating to full-time fire fighters in municipalities of more than 10,000 people.
	see also DANGEROUS MANUFACTURES; BUILDING CODE; P.A. 38	11 This Act prevails over municipal by-laws.
Fixed assessment	see NIAGARA ESCARPMENT; PARKWAY BELT -	
Flood control	see CONSERVATION (NATURAL ENVIRONMENT) DRAINAGE	
Flood lighting	P.A. 35a(6)(a)5	
Floodplain	P.A. 35(1)3; see also CONSERVATION (NATURAL ENVIRONMENT)	
Food Land Guide-lines	see AGRICULTURAL LAND	
Footpaths	see BICYCLE AND FOOTPATHS	
FOREIGN LAND SALES	Real Estate and Business Brokers Act (Consumer & Commercial Relations)	48 In this Act, "subdivision" means improved or unimproved land divided or proposed to be divided into five or more lots or other units for the purpose of sale or lease and includes land divided or proposed to be divided into condominium units.
- subdivisions		49 No subdivision lot outside Ontario may be sold in Ontario until a prospectus has been filed with the Registrar of Real Estate and Business Brokers.
- prospectus		50 No sale or lease of an out-of-province subdivision lot may be concluded unless the purchaser has signed an acknowledgement that he has read the prospectus approved by the Registrar. Rescission of the contract may be demanded by the purchaser within 90 days, if the vendor has not obtained such an acknowledgement.
		51 A prospectus application must include financial particulars of the owners. The prescribed form of prospectus requires the provision of information on hard and soft services available as well as the physical characteristics of the land.
Forests	see WILDERNESS; WOODLANDS; TREES	
Forest road	see HIGHWAY -	
Freeway	see HIGHWAY -; NOISE	
FUNERAL SERVICES ESTABLISHMENT	Funeral Services Act (Health)	1(e) "Funeral Services Establishment" means a premises established or maintained for the purpose of providing funeral services or funeral supplies to the public.
		33(1)(r) Subject to cabinet approval and the Minister's prior review, the Board of Funeral Services may make regulations governing the construction, location, maintenance, etc. of funeral services establishments.
FUR FARMS	Fur Farms Act (Agriculture and Food)	1(c) "Fur farm" means premises where fur bearing animals are kept in captivity for propagation or the production of pelts for commercial purposes.
		3 All fur farms must be licensed and are governed by regulations.

Subject	Reference	Description and Notes
GARAGE	Municipal Act 354(1)	124 Council may regulate the location of garages, stables, barns, outhouses and manure pits.
		133 Council may limit the number of service stations and public garages.
	Highway Traffic Act 1(1)9	"garage" means every place or premises where motor vehicles are received for housing, storage or repairs for compensation.
	see also SERVICE STATION; AUTOMOBILE WRECKING YARD	
Garbage	see WASTE MANAGEMENT	
Garbage incinerator	see INCINERATOR	
Garbage Storage	P.A. 35a(6)(a)7	
GASOLINE PUMP - private	Gasoline Handling Act 1(c) (Consumer & Commercial Relations)	"Consumer outlet" means any premises at which gasoline or an associated product of the operator of the outlet is put into the fuel tanks of motor vehicles used by the operator of the outlet or into portable containers used by the operator of the outlet.
	see also HIGHWAY - King's - gas pumps; OBSTRUCTION OF VIEW	
Gasoline Station	see SERVICE STATION	
Gasoline storage	see EXPLOSIVES	
Gas works	see INDUSTRIAL NUISANCES	
GEOGRAPHIC NAMES	Ontario Geographic Names Board Act (Natural Resources)	The Ontario Geographic Names Board is the statutory authority responsible for the control of names given to geographic features and unincorporated places. The board exercises authority over all place names not governed by other statutes.
Go-karts	see MOTOR VEHICLE RACING	
Golf course	see ASSESSMENT -	
Grade separation	see RAILWAY GRADE SEPARATION	
Grading	P.A. 35a(6)(a)9	
Gravel pit	see PITS AND QUARRIES	
GROUP HOME	Municipal Act 386(a)	Council may pass a by-law requiring the registration of group homes, provided there is a zoning by-law in effect permitting group homes.

Subject	Reference	Description and Notes
HAZARDS		
HAZARDS	Government Harbours and Piers Act (Transport Canada)	3 This Act does not apply to any harbour under the control of the National Harbours Board or of any commissioners appointed by Parliament (Toronto, Hamilton, etc.)
		4 The Act applies to the use, maintenance and ordinary repairs of all other Federal harbours, wharfs, piers and breakwaters.
	Harbour Commissions Act (Transport Canada)	3 This Act provides for the establishment of harbour commissions for any harbour not named in the National Harbours Act or for which a harbour commission has not otherwise been established by Parliament.
		4 The proclamation establishing a harbour commission must define the limits of the harbour.
		9 A Commission "shall regulate and control the use and development of all land, buildings and other property within the limits of the harbour, and all docks, wharfs and equipment erected or used in connection therewith".
		13,19 A Commission may make by-laws regulating or prohibiting the construction of buildings or other structures, and may expropriate land.
		In an Ontario Supreme Court decision respecting Hamilton Harbour, the Court ruled that the authority of the Harbour Commission to regulate land use was restricted to navigation and shipping purposes. Lands within the harbour limits not intended for navigation and shipping uses are subject to municipal land use regulation. (e.g. industrial lands).
	Municipal Act 34a(47-54)	Council may regulate, maintain and improve harbours.
HAZARD LAND	P.A. 2(7), 33(4)(5), 35(3)	An official plan must have regard to the requirements of the planning area for drainage...; a plan of subdivision must be reviewed with regard to conservation of natural resources and flooding; and a zoning by-law may prohibit the erection of buildings or structures on land subject to flooding or of unstable character.
	see also CONSERVATION (NATURAL ENVIRONMENT)	
HEALTH AND SOCIAL SERVICE INSTITUTIONS	Charitable Institutions Act (Community & Social Services)	1(c) "Charitable Institution" means all or any part of a building or buildings maintained and operated by an approved corporation for persons requiring residential, sheltered, specialized or group care, but does not include...(a list follows of institutions governed by their own Acts).
- charitable institution		(e) "Hostel" means a charitable institution for the temporary care of transient or homeless persons.
- hostel		4 All charitable institutions must be approved by Cabinet.
		5,6 Grants may be made by the Minister to an institution or hostel for building purposes and for acquiring buildings.
		7 Maintenance grants equal to 80% or more of the cost may be paid to charitable institutions.
		10 Cabinet may make regulations governing charitable institutions.
- children's residence	Children's Boarding Homes Act (Community & Social Services)	1(b) "Children's Residence" means all or any part of a building or buildings in which three or more children not of common parentage reside away from the home of their parents or guardians primarily for the purpose of receiving residential care, and includes a foster home or any other home or institution in which three or more children not of common parentage reside and that is supervised or operated by a children's aid society under The Child Welfare Act, 1978, whether or not the children are Crown wards or wards of the society, but does not include...(a list follows of institutions governed by their own Acts).
- children's institution	Children's Institutions Act (Community & Social Services)	1(d) "Children's Institution" means all or any part of a building or buildings maintained and operated by an approved corporation for children and other persons requiring sheltered, specialized or group care, but does not include...(a list follows of institutions governed by their own Acts).
		3 All children's institutions must be approved by the Minister.
		9 Cabinet may make regulations governing children's institutions.
- children's mental health centre	Children's Mental Health Services Act (Health)	1(b) "Children's Mental Health Centre" means all or any part of a building or buildings maintained and operated to provide services for children suffering from mental, emotional or psychiatric disorders or any combination thereof.

Subject	Reference	Description and Notes
HEALTH AND SOCIAL SERVICE INSTITUTIONS (Cont'd)		
- community psychiatric hospital	Community Psychiatric Hospitals Act (Health)	<p>3 The Minister with Cabinet approval may establish, operate and maintain children's mental health centres.</p> <p>5 With the Minister's approval, a corporation may also establish, operate and maintain a children's mental health centre.</p> <p>12 Cabinet may make regulations governing children's mental health centres.</p> <p>3 Cabinet may establish hospitals for the care of persons suffering from emotional or psychiatric disorders and any part of any institution may be approved as a community psychiatric hospital.</p> <p>7 A community psychiatric hospital is not subject to assessment or taxation for municipal or provincial purposes.</p> <p>9 Cabinet may make regulations governing community psychiatric hospitals.</p>
- day nursery	Day Nurseries Act (Community & Social Services)	<p>"Day Nursery" means a premises that receives more than five children who are not of common parentage, primarily for the purpose of providing temporary care, or guidance, or both temporary care and guidance, for a continuous period not exceeding twenty-four hours, where the children are,</p> <ol style="list-style-type: none"> under eighteen years of age in the case of a day nursery for children with a developmental handicap, and under ten years of age in all other cases, <p>but does not include,</p> <ol style="list-style-type: none"> part of a public school, separate school, private school or a school for trainable retarded children under The Education Act, 1974, a place that is used for a program of recreation and that is supervised by a municipal recreation director who holds a certificate issued pursuant to section 8b of The Ministry of Culture and Recreation Act, 1974, or a children's mental health centre under The Children's Mental Health Services Act, 1978. <p>3,4,5 A municipal council may establish day nurseries and grant them aid and may enter into agreements with operators for the furnishing of day nursery, private home day care and in-home services. The Minister has similar powers in unorganized territory.</p>
- home for retarded persons	Homes for Retarded Persons Act (Community & Social Services)	1(d) "Home for Retarded Persons" means all or any part of a building maintained and operated by an approved corporation for the residential accommodation of retarded persons, but does not include...(a list follows of institutions governed by their own Acts).
- home for special care	Homes for Special Care Act (Health)	1(a) "Home for Special Care" means a home for the care of persons requiring nursing, residential or sheltered care.
- home for the aged	Homes for the Aged and Rest Homes Act (Community & Social Services)	1(c) "Home" means a home for the aged established or maintained under this Act or a rest home established and maintained under this Act.
- Indian Band	Homes for the Aged and Rest Homes Act (Community & Social Services)	<p>5 The Council of a band may:</p> <ol style="list-style-type: none"> establish and maintain a home; or enter into an agreement with the councils of one or more other bands to establish and maintain a joint home, with the approval in writing of the Minister.
- mental hospital	Mental Hospitals Act (Health)	<p>1(a) "Approved Home" means a home to which patients may be released from an institution in the manner provided by this Act and the regulations.</p> <p>1(e) "Institution" means an institution under this Act, and includes every approved home connected therewith.</p> <p>2 This Act applies to such institutions as are designated from time to time by the regulations.</p>
- private hospital	Private Hospitals Act (Health)	1(d) "House" means a building or other structure, whether permanent or temporary, intended for human habitation and, where two or more houses are situate on adjacent pieces of land and are occupied by the same person, they shall be deemed to constitute a single house for the purpose of this Act.

Subject

Reference

Description and Notes

HEALTH AND SOCIAL
SERVICE INSTITUTIONS (Cont'd)

		<p>1(i) "Private Hospital" means a house in which four or more patients are or may be admitted for treatment, other than,</p> <ul style="list-style-type: none"> i. a hospital or other establishment or institution supported in whole or in part by provincial aid, ii. an institution in respect of which a license under The Private Sanitaria Act is in force, iii. an institution for the reclamation and cure of habitual drunkards established under The Municipal Act, iv. a house registered under The Maternity Boarding Houses Act, v. a lodging house licensed under a municipal by-law. <p>18 No structural alteration or addition may be made to a private hospital until a plan of the proposed alteration or addition has been approved by the Ontario Hospital Services Commission.</p>
- public hospital	Public Hospitals Act (Health)	<p>1(f) "Hospital" means any institution, building or other premises or place established for the treatment of persons afflicted with or suffering from sickness, disease or injury, or for the treatment of convalescent or chronically ill persons that is approved under this Act as a public hospital.</p> <p>4 No hospital may be established without Cabinet approval. No addition may be made to a hospital without the approval of the Minister.</p>
- nursing home	Nursing Homes Act (Health)	<p>1(f) "Nursing Home" means any premises maintained and operated for persons requiring nursing care.</p> <p>3 No person may establish a nursing home or use the term "a licensed nursing home" unless it is licensed under this Act.</p>
- sanitarium	Private Sanitaria Act (Health)	<p>1(g) "Sanitarium" means an institution for the care and treatment of mental and nervous illnesses that is licensed under this Act.</p>
- sanatorium	Sanatoria for Consumptives Act (Health)	<p>1(n) "Sanatorium" means any sanatorium, institution, building or other premises or place, howsoever created, established or incorporated for the treatment of patients.</p> <p>5 A county or other municipal corporation may establish a sanatorium but must obtain Cabinet approval.</p> <p>23 A sanatorium is exempt from taxation, except for a public utility tax.</p> <p>22, 25 A sanatorium has power of expropriation and may not be expropriated without Cabinet approval.</p>
Health unit	see PUBLIC HEALTH -	
Hearings	see PUBLIC PARTICIPATION	
Heritage conservation districts	see CONSERVATION (CULTURAL) -	
Heritage easement	see CONSERVATION (CULTURAL) -	
HIGHWAY	Municipal Act 443-452	<p>This deals with road widening, diversions, closings, openings, etc. and prohibition of vehicular traffic or pedestrian traffic. No highway less than 20 metres in width may be laid out by council or a landowner without the approval of the Minister of Housing. (450)</p> <p>A road may not be closed if it would deprive a person of access to his property, unless compensation is paid and an alternative means of access is provided. (444)</p> <p>A Ministry of Housing booklet entitled "Public Road Allowances - an Explanatory Guideline" (August, 1977) is available from the Ontario Government Bookstore.</p>
	Public Transportation & Highway Improvement Act	<p>1 "Highway" means a common or public highway, or any part thereof, and includes a street, bridge or any other structure incidental thereto and any part thereof. "Road" has the same meaning as highway and "roadway" means the part of the road designed for vehicular traffic.</p>
- King's Highway		<p>28 Access to a King's Highway is controlled through a permit issued by the Minister.</p> <p>31 The Minister has control over the erection of buildings, gasoline pumps, fences, trees, etc. within 45 metres of any King's Highway and within 180 metres of any intersection. No shopping centre, stadium, drive-in theatre, etc. may be established within 400 metres except by permit from the Minister.</p>

Subject	Reference	Description and Notes
HIGHWAY (Cont'd)		
- connecting link		19 Any road deemed by the Minister to be a connecting link between parts of the King's Highway system may be so designated and the Minister may enter into agreement for the construction and maintenance of these connecting links by a municipality or by the Ministry. The proportion of the cost met by the Province varies from 75% to 100%.
- controlled access highway	33,34	Designation as a controlled access highway permits the Minister to close any intersecting road and to control all private access. Similar control exists over buildings, signs, shopping centres, etc. as for a King's Highway, but the distance from an intersection is increased from 180 metres to 395 metres.
- controlled access road	88-90	A municipality may, with the approval of the Minister and the O.M.B., designate a controlled access road and close intersecting roads and restrict access.
- secondary highway	37	All the provisions applying to a King's Highway apply also to a secondary highway.
- tertiary road	38	An existing road in unorganized territory may be designated as a tertiary road, whereupon all regulations for King's Highway apply, except sections 30 and 31. M.T.C. maintains these roads but need not clear snow and is not liable for damage.
- resource road	39	A tertiary road may be designated as a resource road. As a result certain load limits and other provisions of the Highway Traffic Act do not apply.
- industrial road	40	A private road used for lumbering, pulp or mining operations and also by the public may be designated as an industrial road. The Minister and the owner may enter into an agreement re maintenance.
- county road	41-59	Various provisions relating to the establishment and maintenance of a county road system, including bridges. A county is not liable for sidewalks.
- zoning	60	A county has, with respect to land within 45 metres of a county road, all the power conferred on a local municipality by Section 35 of The Planning Act. Such county by-law would take precedence over a local by-law in case of conflict.
- gas pumps, signs	61	A county may prohibit or regulate (and provide for the issuance of permits for) gas pumps within 45 metres and advertising signs within 400 metres of a county road. (See also OBSTRUCTION OF VIEW).
- suburban road	63-69	Certain county roads may be designated as suburban roads. Cities and separated towns contribute to their construction and maintenance and are represented on the suburban roads commission. Suburban roads continue to be county roads.
- township road	70-75	Various provisions relating to grants, cost sharing with a neighbouring town, etc.
	76	A township council may levy a higher road rate upon suburban or resort subdivisions than upon the rest of the township. (With the Minister's approval).
- city, town, village road	77-84	Various provisions relating mainly to subsidies.
- district, metropolitan, or regional road	84a-84d	Various provisions relating mainly to subsidies.
- development road	85	If the traffic load on a township road requires greater expense than the municipality can afford, the Minister may designate it a development road and subsidize it. The same applies to a road in a territorial district under town or village jurisdiction.
- expressway	91(a)	"Expressway" means a divided arterial highway that is accessible only from intersecting arterial streets at intersections at grade that have been approved by the Minister and, where required by the volume of traffic, at grade separated interchanges that have been approved by the Minister.
- freeway	91(b)	"Freeway" means a divided arterial highway that is accessible only from intersecting arterial streets at grade separated interchanges that have been approved by the Minister.
- access road and common road	see MOTOR VEHICLE ACCESS TO PROPERTY	
- forest toad	Public Lands Act (Natural Resources)	50-57 Private and public forest roads on public lands are defined. The right-of-passage over these roads is also defined and Ministerial agreements to secure public right-of-passage on private forest roads are also explained.

Subject

Reference

Description and Notes

HIGHWAY (Cont'd)

- use of space over or under a highway

Municipal Act 453(3a)

Council may make agreements for pedestrian walkways over or under a highway.

Public Transportation & Highway Improvement Act 2(3)

The Minister may authorize the use of space over or under a highway under the jurisdiction of his ministry.

- leasing use of untravellled portions

Municipal Act 454

Council may lease or license the use of untravellled portions of highways under its jurisdiction to the owners of abutting land; the use of that land may be controlled for parking or other purposes.

- jurisdiction

399-401

These sections describe what constitutes a public highway and clarify that a council of a municipality has jurisdiction over the public highways and bridges in that municipality, unless that jurisdiction has been expressly conferred upon another council.

see also ROAD...;
OBSTRUCTION OF VIEW;
BICYCLE AND FOOTPATH;
PRIVATE ROAD - snow-plowing; SETBACKS;
BOULEVARDS; NOISE

Historic conservation

see CONSERVATION (CULTURAL)

HISTORICAL PARK

Historical Parks Act (Culture & Recreation)

This Act provides for the establishment and management of parks in the nature of outdoor museums, such as Saint Marie among the Hurons and Old Fort William.

"Historical Park" is also a class of park defined by the Ministry of Natural Resources pursuant to the Provincial Parks Act, but it refers to a different type of park, such as the Petroglyphs Park.

Historic Sites and Monuments Act (Federal)

HOLIDAY CLOSINGS FOR RETAIL BUSINESS

Holiday Closings for Retail Businesses Act (Solicitor General)

This Act establishes certain holidays on which retail businesses are to be closed. The exceptions include small grocery stores, milk stores, news and tobacco stands, drug stores, antique shops, flower shops, service stations and others permitted by The Lord's Day Act (Canada) and The Lord's Day Act (Ontario).

- 5(i) Where it is essential for the maintenance or development of a tourist industry, the council of a municipality may by by-law provide that section 2 (enforcing the retail closings) does not apply.

- 6 A by-law or regulation made under sections 4 or 5 (exempting certain businesses) may classify retail business establishments by size, number of persons employed, character of business, location or any other criterion.

see also EARLY CLOSING BY-LAWS

Home for Retarded Person
Home for Special Care
Home for the Aged

see HEALTH AND SOCIAL SERVICE INSTITUTIONS

Home Improvement loans

see HOUSING -

HOME OCCUPATION

Industrial Safety Act (Labour)

- 1(g) "Homework" means the doing of any work in the manufacture, preparation, improvement, repair, alteration, assembly or completion of any article or thing or any part thereof by a person for wages in premises occupied primarily as living accommodation, and "homeworker" has a corresponding meaning.

Home ownership loans

see HOUSING -

Home renovation

see HOUSING - rehabilitation, conversion

Hospital

see HEALTH AND SOCIAL SERVICE INSTITUTIONS
- mental hospital
- private hospital
- public hospital

Hostel

see HEALTH AND SOCIAL SERVICE INSTITUTIONS - charitable institution

HOTEL

Hotel Fire Safety Act (Solicitor General)

- 1(b) "Hotel" means an establishment consisting of one building or two or more connected or adjacent buildings that provides sleeping accommodation for the public and is licensed or required to be licensed under The Department of Tourism and Information Act or The Liquor Licence Act, but does not include a one storey building that,

Subject	Reference	Description and Notes
HOTEL (Cont'd)		<p>i. has a total floor area of less than 3,000 square feet,</p> <p>ii. is not attached to any other building, and</p> <p>iii. is at least thirty feet distant from any other building that is a hotel within the meaning of this clause.</p> <p>1(g) "Storey" means that part of a building between the top of a floor and the top of the next floor above it, or if there is no floor above it, that part between the top of a floor and the ceiling above it, but does not include a penthouse that is not used by the public, and the storey closest to grade having its ceiling more than six feet above grade shall be deemed to be the first storey.</p> <p>9 The interior and exterior finish materials of every hotel must meet the standards prescribed by the regulations made under this Act.</p> <p>19 Regulations under this Act may govern, among other matters, the construction and alteration of hotels.</p> <p>20 Where conflict exists between any regulation made under this Act and any municipal by-law, the regulation prevails.</p>
HOUSING - programs	Housing Development Act (Housing)	<p>Information on housing programs, both federal and provincial, is available in a special edition of Housing Ontario, entitled "Housing Programs in Ontario".</p> <p>1 "Building development" and "building development corporation" are defined. In this Act, "municipality" includes a regional municipality.</p>
- OHRP - rent supplement	O. Reg. 688/74	<p>2 Cabinet may guarantee loans, advance money, etc. for building development, for the acquisition and rehabilitation of housing units and for urban renewal. Provision is made for financial assistance for rent supplements, mortgages, etc.</p>
- grants or loans		<p>The Minister may make grants or loans to a municipality or persons to assist in the repair, rehabilitation, improvement or conversion of real property used or to be used for residential purposes.</p>
- research grants, municipal housing statements		<p>3 The Minister may make grants in aid of housing studies and research. (This is administered by the Policy and Program Development Secretariat).</p>
- joint projects		<p>5,6,8 Municipalities, the province and the federal government may co-operate in joint housing projects. A housing corporation may carry out and manage a housing project.</p>
- rent subsidy		<p>56.1 Canada Mortgage and Housing Corporation may make contributions to reduce rents in housing projects operated by a non-profit corporation, a province, a municipality, a public housing agency or an Indian group.</p>
- expropriation		<p>7 The Minister may expropriate land for a housing project.</p>
- municipal non-profit housing corporation		<p>12 A municipality may establish one or more non-profit housing corporations to provide and operate housing accommodation at rentals below the current market for persons of modest income.</p>
- municipal housing projects		<p>16 If there is an official plan in effect in a municipality that includes provisions relating to the provision of housing, which provisions have been approved by the Minister subsequent to the coming into force of this section, or if the council of a municipality has adopted a policy statement containing provisions relating to the provision of housing, which statement has been approved by the Minister, the council of the municipality may,</p> <p>(a) acquire and hold land, with or without holdings thereon within the municipality for the purpose of a housing project,</p> <p>(b) survey, clear, grade, subdivide, service and otherwise prepare such land for the purpose of the project; and</p> <p>(c) sell, lease or otherwise dispose of such land for a nominal or other consideration for housing purposes.</p>
- adjoining land		<p>17(b) A municipality may enter into an agreement with any person or governmental authority undertaking a housing project to provide that certain specified uses of land are maintained adjoining the project for a specified period.</p>

Subject

Reference

Description and Notes

HOUSING (Cont'd)

- temporary projects		18 In an emergency, a municipality may erect temporary housing accommodation.
- Ministry of Housing	Ministry of Housing Act National Housing Act (C.M.H.C.)	This Act describes the Ministry and its functions and objectives in very broad terms.
- family housing unit		2 The Act includes several pages of definitions, including the following: "Family housing unit" means a unit providing therein living, sleeping, eating, food preparation and sanitary facilities for one family, with or without other essential facilities shared with other family housing units.
- farm		"Farm" means land used for any tillage of the soil, including livestock raising, dairying and fruit growing.
- house		"House" means a building, together with the land upon which it is situated, intended for human habitation comprising not more than two family housing units.
- housing project		"Housing project" means a project consisting of one or more houses, one or more multiple-family dwellings, housing accommodation of the hostel or dormitory type, two or more condominium units or any combination thereof, together with any public space, recreational facilities, commercial space and other buildings appropriate to the project, but does not include a hotel.
- multiple-family dwelling		"Multiple-family dwelling" means a building containing three or more family housing units.
- one-family dwelling		"One-family dwelling" means a house consisting of one family housing unit not attached to or forming part of any other house.
- semi-detached dwelling		"Semi-detached dwelling" means a family housing unit joined by a common or party wall to one other family housing unit.
- mortgages	Part I	5-12 Part I deals with insured mortgage loans.
- rental housing	Part II	13 C.M.H.C. may contract with builders to guarantee rentals from low income housing of over 7 units. 14 Rental housing projects may be financed to 85% of their cost.
- low rental housing		15 Low rental housing projects may be financed by C.M.H.C. loans for up to 95% of the lending value of the project.
- non-profit or community sponsored housing	see also COMMUNITY IMPROVEMENT	15.1 For charitable, co-operative or municipally-owned projects, the maximum loan may be 100% of the lending value of the project. 16 C.M.H.C. may make loans for low or moderate cost housing in connection with mining, lumbering or fishing.
- urban renewal	Part III	22-25.1 Funds have been cut off. See URBAN RENEWAL.
- home improvement loans	Part IV	28-33 C.M.H.C. may guarantee bank loans for home improvement.
- rehabilitation and conversion	Part IV.1	34.1 C.M.H.C. may provide funds to revitalize deteriorating urban areas. Loans may be made to the owners of family housing units for improvement and rehabilitation, but only in areas where standards of maintenance and occupancy have been adopted. Loans may also be made to non-profit corporations to convert dwellings to multiple occupancy, hostels, etc., and to Indian individuals, groups or a band council, with the consent of the Minister of Indian Affairs and Northern Development.
- home ownership loans		34.15 Loans may also be made to assist in the construction or acquisition of houses or condominium units by individuals.
- co-operative housing		34.18 Loans or contributions may be made to assist co-operative housing associations.
- research, etc.	Part V	35 C.M.H.C. is responsible for research into housing conditions, for the promotion of improved housing and for encouraging the adoption of community plans. Grants are available under the community organization program.
		36,37 More specific descriptions of C.M.H.C. powers and responsibilities.
- public housing	Part VI	40 C.M.H.C. may undertake public housing projects jointly with any provincial agency.

Subject	Reference	Description and Notes
HOUSING (Cont'd)		
- land assembly		42-43 C.M.H.C. may make loans to public housing agencies to acquire and service land for housing purposes, and to build or acquire public housing (Maximum 90%).
		44 C.M.H.C. may make contributions to subsidize housing accommodation for persons of low income.
- new communities	Part VI.1	45.1 See NEW COMMUNITIES.
- student housing	Part VII	47 C.M.H.C. may make loans to a municipality, provincial agency, hospital, school board, university, co-operative association or charitable corporation for student housing projects (Maximum 90%).
- water and sewerage projects	Part VIII	50 See WATERWORKS; SEWERAGE; COMMUNITY IMPROVEMENT.
- rural housing programs		Two programs are active:
		(a) The provision of ownership accommodation for low income families in communities of under 2500 population. Administered by C.M.H.C. Subsidies shared by the Province and the Federal government.
		(b) The provision of senior citizen rental units in communities of under 2500 population. Administered by the Ministry of Housing, managed by local housing authorities. Subsidies shared by three levels of government.
- veterans'	see HOUSING - National Housing Act, sec. 15.1, 34.15, 34.16; VETERANS' LAND	
HYDRO-ELECTRIC POWER	Power Corporation Act (Energy)	58 This Act describes the authority and function of Ontario Hydro, in general terms (58), and more specifically:
		24(1) Ontario Hydro may be authorized by Cabinet to acquire or flood any land, if necessary without the owner's consent; and to divert any watercourse.
		33(2) Ontario Hydro may enter upon land adjoining a power right of way to remove obstructions.
- entry on private property		64,73 Municipal agents may enter on private property without the owner's consent to erect transmission lines and to interrupt or decrease delivery of power.
		68 A Township Council may, with Ontario Hydro approval, distribute power in the whole municipality or in part of it, and may establish a Hydro-Electric Commission.
- area rate		83 A Township Council may contract with Ontario Hydro for street lighting and may establish an area rate.
		84 All of Ontario not forming part of an area with a Hydro contract is deemed to form one rural power district, wherein the Corporation supplies power directly.
- underground wiring		105-107 Ontario Hydro may direct that all telegraph, telephone and hydro wires be placed underground in cities and towns.
	Rural Hydro-Electric Distribution Act (Energy)	1,2 Grants of up to 50% may be made to municipalities or commissions supplying power to areas in a rural power district or to an adjoining township.

Subject

Reference

Description and Notes

IMPOSTS	Municipal Act 309	Contributions received by municipalities in connection with a subdivision may only be used for expenditures benefitting the occupiers of that subdivision. If not required or not likely to be required for the above purpose, however, the contributions may be expended for some other purpose.
	Municipal Act 359	With O.M.B. approval, Council may impose a special charge on classes of buildings that may impose a heavy load on the sewer or water system. These charges are a lien against the property.
	see also CAPITAL LEVIES; AREA RATES	
IMPROVED LAND	Municipal Affairs Act 27(a)	"Improved land" means a parcel of land separately assessed that has a building thereon, and includes any land in actual use for agricultural purposes, although there is no building thereon.
IMPROVEMENT DISTRICT	Municipal Act 10(2), 11, 501-503	A municipal entity like a township or village but with a 3 person Board of Trustees appointed by Cabinet instead of an elected council.
Improvement permit	Municipal Affairs Act Part III see PUBLIC LANDS - restricted area	An improvement district is under the direct supervision of the Ministry of Intergovernmental Affairs.
INCINERATORS	Municipal Act 354(1)45 Waste Management Act Regulation 11	Council may prohibit garbage incinerators in any class of buildings erected after September 1, 1966. Regionation 11 relates to standards of location and operation
INDEX OF MUNICIPAL BY-LAWS	Municipal Act 216 see also MUNICIPAL CODE Registry Act 1(c)	The clerk of every municipality must keep an index book of every zoning by-law and every other by-law that affects land without directly affecting title of land. Any municipal by-law that affects land may be registered as an instrument.
INDEX OF STATISTICAL FILES		This publication contains descriptive information on the main statistical data files in the Ontario government. A useful reference document for information officers, researchers and others needing to know what statistical material may be obtained from government sources. It describes the contents of each statistical file and gives the originating Ontario government agency. For ease of reference all files are cross-indexed by subject. Price \$3.00, from the Publications Centre, 880 Bay Street, Toronto.
Indian Band - home for the aged	see HEALTH AND SOCIAL SERVICE INSTITUTIONS - home for the aged	
Industrial Building	see FACTORY	
INDUSTRIAL NUISANCES	Municipal Act 354(1)114 Public Health Act 97	Council may regulate potentially noxious trades and may prohibit or regulate tanneries, gas works, distilleries or other manufactories that may cause a nuisance. Consent of the local board or the municipal council must be obtained for the establishment of any of the following trades: blood boiling, bone boiling, refining coal oil, extracting oil from fish, storing hides, soap boiling, tallow boiling, tripe boiling, slaughtering animals, tanning hides or skins, manufacturing gas, manufacturing glue, manufacturing fertilizer from dead animals or from human or animal waste, or any other trade that is or may become offensive. Provision is made for a fine of up to \$250, plus \$20 per day.
Industrial Park	see INDUSTRIAL SITES	
Industrial roads	see HIGHWAY -	
Industrial sewage disposal	see SEWERAGE	
INDUSTRIAL SITES	Municipal Act 354(1)50 Ontario Development Corporation Act 8 see also ONTARIO LAND CORPORATION	Council may acquire and expropriate land for industrial sites and may sell or lease it for industrial use. In some slow-growth areas, loans may be available from the Ministry of Industry and Tourism to assist municipalities in acquiring and servicing industrial land.
Industrial waste	see WASTE MANAGEMENT	

Subject

Reference

Description and Notes

INHIBITING ORDER

Land Titles Act 26
(Consumer & Commercial
Relations)

The Supreme Court, the director of titles or the proper master of titles may issue an order or make an entry inhibiting any dealing with registered land until the occurrence of a named event or a further order. Upon application, the court or the director or master of titles would normally make enquiries and notify such persons as considered necessary before issuing an order or making an entry.

INTERPRETATION

Interpretation Act
(Intergovernmental
Affairs)

Where an Interpretation Section exists in any act, such as the definitions in The Municipal Act, it applies in addition to the definitions, rules and exceptions in The Interpretations Act.

Subject

Reference

Description and Notes

Joint planning area

P.A. 2

JUDGE'S ORDER

Registry Act 86
(Consumer & Commercial
Relations)

Upon the application of a municipality, a county or district court judge may cancel in whole or in part any registered plan, or may close or divert a road on a registered plan, impose terms and conditions, etc.

No part of any road or lane may be closed or diverted without the written consent of the owner of the abutting lot(s). No order may be made to amend a plan approved under Section 33 of The Planning Act without the prior consent of the Minister responsible for The Planning Act.

JUDGE'S PLAN

Registry Act 90
(Consumer & Commercial
Relations)

Where parts of lots or other designated areas shown by a registered plan have been conveyed or where other land has been conveyed by metes and bounds description or other manner without a plan of subdivision having been registered, the Director of Land Registration (normally acting at the request of a municipality) may apply to a judge of the proper County or District Court for an order to have the land laid out into lots. A draft plan is prepared from actual survey by a surveyor and in accordance with the records of the Registry Office, and upon giving notice to all interested persons and upon making any necessary amendments, the judge may order that the plan be registered as a "Judge's Plan". Any future dealings may not be registered unless they refer to this plan. In the interim, the Director of Land Registration may issue a "restraining order" whereupon no conveyance dealing with the land in the area may be registered until after the registration of the Judge's Plan.

- restraining order

see also MUNICIPAL PLAN,
REGISTRAR'S COMPILED
PLAN, REFERENCE PLAN

All severances must be by plans under Land Titles.

JUNK YARDS

Municipal Act 378

Council may license and regulate salvage yards, junk dealers, car wreckers, etc.

see also AUTOMOBILE
WRECKING YARDS

Subject	Reference	Description and Notes
LAKES AND RIVERS	Lakes and Rivers Improvement Act (Natural Resources)	<p>Much of this Act referred originally to the floating of timber. Since 1971, its purpose has been broadened and is described as being to provide for the use of waters of the lakes and rivers of Ontario and to regulate improvements in them, and to provide for:</p> <ul style="list-style-type: none"> (a) the preservation and equitable exercise of public rights in or over such waters; (b) the protection of the interests of the riparian owners; (c) the use, management and perpetuation of the fish, wildlife and other natural resources dependent on such waters; (d) the preservation of the natural amenities of such waters and on the shores and banks thereof; and (e) ensuring the suitability of the location and nature of improvements in such waters, including their efficient and safe maintenance and operation and having regard to matters referred to in clauses a,b,c, and d, their operation in a reasonable manner. <p>2 The Cabinet may make regulations respecting the use of lakes and rivers and waters therein. The maximum fine is \$5,000.</p> <p>10-25 No dam may be built without approval from the Minister, except in emergency. Various provisions relate to dam repairs, etc.</p> <p>34 The Minister may order the removal of any tree, refuse, substance or matter deposited in a lake or river in a manner as in his opinion impairs the natural beauty of the water body.</p> <p>36 The throwing of any refuse, sawdust, chemical, substance or matter from any mill into a lake or river, or on the shore or banks thereof, is prohibited. Provision is made for fines of not less than \$50 per day.</p> <p>88 "Occupied water privilege" means a mill privilege, or water power, that has been or is in use for mechanical, manufacturing, milling or hydraulic purposes, or for the use of which for any such purposes the necessary works are bonafide in course of construction.</p>
- dams		
- aesthetics		
- pollution from a mill		
- occupied water privilege		
Land Assembly	see HOUSING - municipal housing projects, - land assembly; INDUSTRIAL SITES; P.A. 21, 22(3); EXPROPRIATION; ONTARIO LAND CORPORATION	
Land Compensation Board	see EXPROPRIATION -	
Land Division Committee	P.A. 30	
LAND REGISTRATION	Registry Act and Land Titles Act (Consumer & Commercial Relations)	<p>There are two land registration systems in Ontario: the Registry system and the Land Titles system. The fundamental purposes of both systems are to give public notice of interests which are claimed in land, to establish priorities between claimants to land, and to provide an orderly method of recording and of registers where title can be searched.</p> <p>The <u>Registry System</u> is a registry of documents affecting the title of land or an indexed filing system for real property. It ensures that most outstanding interests will be shown on the abstract but a purchaser must still satisfy himself by title search of the legal effect of the registered instruments. Almost any document purporting to affect the title of land may be accepted for registration in a registry office, provided it complies with certain formalities regarding execution, affidavits and description.</p> <p>The <u>Land Titles System</u> is a true register of titles, which authoritatively establishes title. No transfer is effective until recorded but, once this is done, it cannot, apart from fraud, be upset. The title is guaranteed by the Province, backed by an Assurance fund, and no one can acquire rights through mere possession or use of the land. The types of documents acceptable for registration are few in number and must be in the form prescribed by the Act.</p> <p>There is no rule of general application by which it can be determined if a parcel is under one system or the other. The Registry system is the older and originally applied to the entire province. Nearly all of Northern Ontario is under the Land Titles System, which was introduced in 1885 when very little development had occurred</p>

Subject

Reference

Description and Notes

LAND REGISTRATION (Cont'd)

		in the north. In Southern Ontario, land becomes subject to Land Titles by the voluntary act of the owner in applying to the land registrar for registration under that Act. However, many areas of the province operate exclusively under the Registry system and have no Land Titles Office. (See Directory of Registry and Land Titles Offices in the Municipal Directory). Subdivision of land by registered plan is virtually the same under the two systems. If part of a lot or block is being conveyed, only under Land Titles must an affidavit be filed showing compliance with Section 29 of The Planning Act. Under the Registry system this requirement is waived because it is fairly easy for a title examiner to ascertain ownership of adjoining parcels.
- Land Titles' Procedural Guide		
LANDFILL	Environmental Protection Act Regulation 824 as amended	1.20 "Landfilling" means the disposal of waste by deposit, under controlled conditions, on land or on land covered by water, and includes compaction of the waste into a cell and covering the waste with cover materials at regular intervals.
		1.8 "Dump" means a waste disposal site where waste is deposited without cover material being applied at regular intervals.
	see also WASTE MANAGEMENT - standards	
Landscaping	P.A. 35a	
LANDS IN TAX ARREARS	Municipal Affairs Act 47 (Intergovernmental Affairs)	Where any part of taxes are unpaid, property may be taken over by the municipality after one year (for vacant land) or three years (for improved land).
LAND SPECULATION TAX	Land Speculation Tax Act (Revenue)	This Act was repealed in 1978.
Land use conditions	see PUBLIC LANDS - sale or lease	
Land use plan	see OFFICIAL COMMUNITY PLAN; OFFICIAL PLAN; STRATEGIC LAND USE PLAN	
Land value	see ASSESSMENT	
LEASING OF LAND	Municipal Act 336(2)	Council may lease any land it has acquired.
	see also PUBLIC LANDS - sale or lease	
Leasing of portion of highway	see HIGHWAY -	
LETTERS PATENT		Grant by the Crown of lands, franchises, etc. contained in charters or instruments not sealed up but exposed to open view with the Great Seal pendent at the bottom.
Levies (lot levies)	see IMPOSTS; CAPITAL LEVIES	
Licence of occupation	see PUBLIC LANDS -; PROVINCIAL PARKS	
LICENSING OF TRADES, BUSINESSES	Municipal Act 246	The power to license includes the power to prohibit and to refuse a licence at the discretion of Council. However, the courts do not seem to interpret this in the way a layman might. See, for example, Malette vs. Eldon, Municipal and Planning Law Reports, Vol. 4, Part 3, August, 1978.
Line fences	see FENCES	
LITTER	Municipal Act 460(5)	Council may prohibit the throwing of paper, handbills, dirt, glass or other refuse on any road.
	Municipal Act 354(1)70	Council may prohibit littering of private or public property.
	Environmental Protection Act 63-68 and 3(a), 3(h)	3 No person may abandon any material likely to become litter. Provision is made for fines of up to \$100 for a first offence and \$1000 subsequently.
Livestock barns	see AGRICULTURAL POLLUTION	
Loading Space	P.A. 35(1)5	
Local architectural conservation advisory committee	see CONSERVATION (CULTURAL) -	

Subject	Reference	Description and Notes
LOCAL BOARD	Municipal Affairs Act 1(d)	"Local Board" means a school board, public utility commission, transportation commission, public library board, board of park management, local board of health, board of commissioners of police, planning board, or any other board, commission, committee, body or local authority established or exercising any power or authority under any general or special Act with respect to any of the affairs or purposes, including school purposes, of a municipality or of two or more municipalities or parts thereof.
Local board of health	see PUBLIC HEALTH -	
LOCAL IMPROVEMENTS	Local Improvement Act (Intergovernmental Affairs)	<p>1.25 "street" includes a lane, alley, park, square, public drive and public place, or a part of any of them.</p> <p>2 Works that may be undertaken as local improvements include: street widening and improving, incl. side-walks, boulevards, sodding, planting, etc.; bridges, sewers, watermains, extensions of gas, light, heat or power works, parks up to 1 hectare, shore protection works and retaining walls.</p> <p>64 Ordinary maintenance is not included but street cleaning, snow clearing, grass cutting, etc. may be charged on a frontage basis.</p> <p>67 A township or village may also construct waterworks, sewerage works and street lighting works.</p> <p>6 For works over \$50,000 O.M.B. approval is required if someone objects to the work. Costs may be borne by the entire municipality or by a section thereof or may be shared between the municipality and/or a section thereof, and the lots abutting the work.</p> <p>7 Local improvements may be undertaken on petition, on council initiative ("the initiative plan") or on the recommendation of the Minister of Health. Alternatively, council may proceed without petition, but with O.M.B. approval, for certain works.</p> <p>12 Owners may petition against a council initiative. Majority opposition may kill a project for at least 2 years.</p> <p>20 Except as otherwise provided, costs are assessed to abutting lots on a frontage basis.</p> <p>21-52 Various procedures for distributing costs of local improvements are described.</p> <p>70 Council may adopt the local improvement system by by-law and thereafter certain works may only be undertaken as local improvements.</p>
	see also SIDEWALKS -	
LOCAL ROADS BOARD	Local Roads Board Act (Transportation and Communications)	<p>2 This Act applies only in territory without municipal organization.</p> <p>7 Ten or more owners of land in an area may call a meeting to consider the establishment of a local roads area. The Minister may establish the area upon petition from such a meeting. Three trustees are elected.</p> <p>10 The board may, subject to the Minister's approval, determine the work to be performed on local roads in a local roads area.</p> <p>19 All land as defined in The Provincial Land Tax Act is liable to assessment and taxation for local roads purposes.</p> <p>31-33 Local roads taxes are remitted to the Minister, who adds two dollars for every dollar received, plus an amount in respect of unoccupied Crown Land, and the Minister undertakes the work determined and approved under Section 10.</p> <p>39 The Statute Labour Act ceases to apply to a local roads area.</p>
LOCAL SERVICES BOARD	Local Services Boards Act (Northern Affairs)	The Minister may establish a Local Services Board in a community located in territory without municipal organization. The order establishing the Board may permit it to exercise jurisdiction over water supply, sewage collection and treatment, garbage collection, street or area lighting, fire protection or recreation.

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Subject

Reference

Description and Notes

LOCAL SERVICES BOARD
(Cont'd)

A Board may consist of 3 or 5 members, elected annually. A surcharge may be added by the Minister of Revenue to the provincial land tax collected in the Board area and grants may be made by the Minister of Northern Affairs to finance Board operating expenses.

LODGING HOUSE

Municipal Act 352(77)

Council may regulate lodging houses, provide for the issuing of licences by the local board of health and prohibit the use of licensed premises except for the use for which the licence was issued.

Lot levies

see IMPOSTS; CAPITAL
LEVIES

Low rental housing

see HOUSING -

Subject	Reference	Description and Notes
Main street revitalization	see BUSINESS IMPROVEMENT AREA	
Maintenance and occupancy standards	P.A. 36	The Ministry of Housing has published a pamphlet entitled "All Together Now" and a handbook for property standards officers, entitled "Conserving and Improving our Property". A model by-law is also available.
MARINAS	Ontario Water Resources Act 62(0)	The Minister may regulate marinas to control pollution. (Regulation 646)
	Gasoline Handling Act 1(i) (Consumer & Commercial Relations)	"Marina" means any premises at which gasoline or an associated product is sold and is put into the fuel tanks of motor boats and other craft or into portable containers.
Market value	see ASSESSMENT -	
Master Plan	see OFFICIAL PLAN	
Mausoleum	see CEMETERY	
METES AND BOUNDS		"Metes and Bounds" refers to a system of describing land by means of a written description referring to metes - measures of length - and natural or artificial boundaries. The description follows a course from a fixed point called a monument or marker to other fixed points until the area is entirely enclosed.
METRIC SYSTEM	Weights and Measures Act (Federal - Consumer & Corporate Affairs)	Schedule II of this Act provides the metric equivalent of 1 yard. 1 yard = 9144/10,000 metre
	Land Titles Act (Consumer & Commercial Relations) O. Reg. 448/76	This Regulation amends Regulation 552, R.S.O. 1970, to provide information in both the metric and imperial systems on the maximum permissible error in closure for a subdivision perimeter survey. Maximum permitted distances for other surveying technicalities are also given in both metric and imperial measurements. If metric measurements are used on a plan of survey, a standard note must be included to indicate that all measurements are in metres.
	Certification of Titles Act (Consumer and Commercial Relations) O. Reg. 449/76	This Regulation deals with similar matters to the above O. Reg. 448/76. It states that either a metric or an imperial equivalent must be given in parenthesis when distances are given in land descriptions in some other system than the metric or imperial systems.
	Registry Act (Consumer & Commercial Relations) O. Reg. 450/76	This Regulation amends Regulation 780, R.S.O. 1970. The content is very similar to the above O. Reg. 448/76.
	Condominium Act (Consumer & Commercial Relations) O. Reg. 451/76	This Regulation amends Regulation 98, R.S.O. 1970 and is very similar to the above O. Reg. 448/76.
		The Ministry of Consumer and Commercial Relations has produced a metric information kit for use in the land registration systems. (June, 1976). Since July 1, 1976, plans have been accepted at Land Registry offices in either imperial or metric units.
	Metric Conversion Statute Law Amendment Act (Industry and Tourism)	This Act converts measurements in many different Acts into the metric system. Not all parts have been proclaimed. Part VII, proclaimed on January 22, 1979 contains amendments to The Planning Act which will facilitate the use of metric measurements in municipal planning documents.
		A pamphlet entitled "Metric Conversion of Planning Documents" has been produced by the Ministry of Housing to provide information to municipalities. It is available for \$2.00 from the Ontario Government Bookstore.
Mineral aggregates	see PITS AND QUARRIES	
MINING	Mining Act 1 (Natural Resources)	This Act includes definitions of terms such as "mining rights", "surface rights", "mine", "refinery", "mining lands", and "minerals".
	Landlord and Tenant Act 191(c) (Attorney General)	A definition of "mining lease" is included.
		Note that Section 29(1a) of The Planning Act clarifies that no consent is required to separate mining rights from surface rights.
	Conveyancing and Law of Property Act, 16, 17 (Attorney General)	"Mining rights" and "surface rights" are defined.
	see also PUBLIC LANDS - mineral rights	



Subject

Reference

Description and Notes

Minister's order	P.A. 32	
Mink farm	see FUR FARM	
Minor Variance	P.A. 42	"Minor Variances and Non-Conforming Uses - Committee of Adjustment Guidelines" (July, 1978) by the Ministry of Housing is available from the Ontario Government Bookstore. Also, see "Rules of Procedure - Minor Variance Applications", O. Reg. 155/78.
MOBILE HOME	P.A. 35c	Individual mobile homes may be located on lots subject to the same restrictions as other dwellings, provided that not more than one mobile home is located on a lot. Mobile home parks, or any grouping of mobile homes on a single parcel of land, may only be developed or expanded on land specifically zoned to permit such use of land. Some of the existing legislation affecting mobile homes still refers to them as trailers. The term trailer should no longer be used to describe factory built dwellings designed for permanent occupancy. It should be noted that Section 36 of The Planning Act re maintenance and occupancy standards includes a mobile home in the definition of "property".
	Highway Traffic Act 1(1)15b	"Mobile home" means a vehicle, other than a motor vehicle, that is designed and used as a residence or working accommodation unit and exceeds 2.60 metres in width or 11.0 metres in length.
	Residential Tenancies Act, 1979 (Consumer & Commercial Relations)	Part VII of the Act deals with mobile homes and, among other matters, lists the responsibilities of a landlord in a mobile home park for garbage disposal, road maintenance, etc.
	see also TRAILERS; TRAILER AND TOURIST CAMPS AND MOTELS; P.A. 36(1)(e)	A Mobile Homes Information Kit is available from the Ontario Government Bookstore. It gives an overview of provincial legislation, policies and responsibilities.
	Retail Sales Tax Act 1.56 (Revenue)	"Modular home" means a house that is intended for residential purposes and that is constructed by assembling manufactured modular units each of which comprises at least one room or living area, has been manufactured to comply with the A277 series of standards prescribed by the Canadian Standards Association, and bears the seal of that Association attesting to such compliance.
MONEY BY-LAWS	Municipal Act Part XII	This section deals with debentures, municipal debt, contracts for the supply of public utilities, etc.
Mortgages	see HOUSING - and HOUSING - Rural housing mortgages	
Motel	see TRAILER AND TOURIST CAMPS AND MOTELS	
MOTORIZED SNOW VEHICLE	Motorized Snow Vehicles Act	Council may prohibit the driving of motorized snow vehicles along or across any highway. (A snow vehicle is excluded from the definition of a motor vehicle).
MOTOR VEHICLE	Highway Traffic Act 1(1)17	"Motor vehicle" includes an automobile, motorcycle, and any other vehicle propelled or driven otherwise than by muscular power; but does not include the cars of electric or steam railways, or other motor vehicles running only upon rails, or a motorized snow vehicle, traction engine, farm tractor self-propelled implement of husbandry or road-building machine within the meaning of this Act.
MOTOR VEHICLE ACCESS TO PROPERTY	Road Access Act (Intergovernmental Affairs)	1(a) "Access Road" means a road on land not owned by a municipality and not dedicated and accepted as, or otherwise deemed at law to be, a public highway, that serves as a motor vehicle access route to one or more parcels of land. 1(b) "Common Road" means an access road on which public money has been expended for its repair or maintenance. This Act provides for a legal process before an existing access to property over a neighbour's land may be closed. Provision is made for a closing order to be issued by a judge after appropriate notification. Provision is also made for an appeal from the order.
MOTOR VEHICLE RACING	Municipal Act 354(1)60	Council may prohibit or regulate the racing of motor vehicles or motorcycles in any area of the municipality.
Multiple family dwelling	see HOUSING -	
MUNICIPAL BOARD	Ontario Municipal Board Act (Intergovernmental Affairs)	33-34 The O.M.B. has the power of a court of record. It has authority to determine questions of law or fact.

Subject	Reference	Description and Notes
MUNICIPAL BOARD (Cont'd)		
- appeal		53 The Board is charged with the approval of money or debenture by-laws, and approves any by-laws as required by law or which a municipality voluntarily applies for. It may enquire into the financial affairs of municipalities, supervise expenditures, hear and determine disputes between municipalities and settle sewer and water rates between them.
		44 The Lieutenant Governor in Council may refer to the Board any matter relating to a municipality, railway or public utility subject to the Board's jurisdiction.
		42 The Board may re-hear any application before deciding it or may review, rescind or change any decision, approval or order made by it.
		94 The Lieutenant Governor in Council may confirm, vary or rescind an O.M.B. decision and may order a re-hearing.
		95 Leave may be sought from a Court of Appeal to appeal an O.M.B. decision on a question of law or jurisdiction. The court certifies its opinion to the Board and the Board must issue an order accordingly.
		Instead of passing separate by-laws, Council may pass a comprehensive general by-law to be known as a Municipal Code. If it consolidates earlier by-laws, those provisions are deemed to have come into force on the day the original by-law came into force.
MUNICIPAL CODE	Municipal Act 242a see also INDEX OF MUNICIPAL BY-LAWS	
MUNICIPAL GRANTS	Ontario Unconditional Grants Act (Intergovernmental Affairs)	This Act describes the formulas used to assign provincial grants to the municipalities. It covers grants for municipal police service, general support grants, resource equalization grants, and special grants for Northern Ontario. Schedules describing these formulas and designating certain grants may also be included.
Municipal Housing Statement	see HOUSING -	
MUNICIPAL LOANS	Municipal Works Assistance Act (Intergovernmental Affairs)	This Act empowers the Minister to make and forgive loans to municipalities and to make arrangements to borrow money from the Municipal Development and Loan Board, as contemplated in the Municipal Development and Loan Act (Canada). Eligible municipal projects include school board capital works.
MUNICIPAL PLAN	Registry Act 80 (Consumer & Commercial Relations)	Where land in a municipality has been sold under surveys or subdivisions made in such a manner that it so differs from the way in which it was surveyed or granted by the Crown that the parcels cannot be identified, and the land is not registered, the council may cause a plan of that land to be made, register it and have the expenses incurred paid for by a special area assessment rate.
	see also JUDGE'S PLAN; REGISTRAR'S COMPILED PLAN; REFERENCE PLAN	

Subject

Reference

Description and Notes

Names	see GEOGRAPHIC NAMES	
NATURE RESERVE, NATURAL ENVIRONMENT	see PROVINCIAL PARK - classification	
NAVIGABLE WATERS	Beds of Navigable Waters Act 1 (Natural Resources)	The bed of any navigable water is Crown land. Beaches are not necessarily crown land, depending on the patents. The province controls the bed, the federal government controls the surface. If a creek is a navigable waterway and its bed is owned by the Crown, lands on each side of the creek would not be abutting land for the purposes of The Planning Act.
	Navigable Waters Protection Act (Transport Canada)	5 No work may be built in, upon, over, under, through or across any navigable water unless the plans have been approved by the Minister. This does not apply to works that in the Minister's opinion do not interfere substantially with navigation. "Work" may include a bridge, tunnel, dock, power cable, the dumping of fill, etc.
		19,20 No rubbish likely to interfere with navigation may be thrown into navigable waters. No stones, gravel, rubbish, etc. may be thrown into navigable tidal water unless there is a depth of at least 20 fathoms at all times.
Neighbourhood improvement	see COMMUNITY IMPROVEMENT	
NEW COMMUNITIES	National Housing Act Part VI.1	45.1 C.M.H.C. may participate with a provincial agency in the planning and development of new communities. The province must indicate its plans for urban growth. The agreement must stipulate the measures to be taken to ensure that the public will receive any economic benefits that may be obtained from the lands and services.
		45.2 Loans may be made to the provincial agency for the development of the new community, and up to 50% of the loan may be forgiven.
	see also NORTH PICKERING; ONTARIO LAND CORPORATION	
NIAGARA ESCARPMENT	Niagara Escarpment Planning and Develop- ment Act	1(c) The Minister responsible for this Act is the Provincial Secretary for Resources Development. However, the Minister of Housing is responsible for the regulations relating to development control (22a and 23).
		2 The purpose of this Act is to preserve the escarpment substantially as a continuous natural environment.
		3 The Minister may define the Niagara Escarpment Planning Area and may direct that a plan be prepared suitable for approval as the Niagara Escarpment Plan.
		4 The Minister is required to establish at least two advisory committees representing the municipalities and the people of the planning area.
		5 Cabinet appoints the Niagara Escarpment Commission composed of seventeen members. The Commission has the status of a corporate body.
		8 The objectives to be sought in the preparation of the Plan are described;
		9,10 Also, the contents of the Plan and the process of its preparation.
		The Plan is to be submitted to Cabinet for approval.
		12 Amendments may be initiated by the Minister or the Commission and are submitted to Cabinet for approval.
		13 No Ministry may undertake any works in conflict with the Plan and all by-laws must conform to the Plan.
		14 The provisions of the Plan prevail over any local plan or zoning by-law.
		15 The Minister may receive proposals from local municipalities to resolve conflicts between the Plan and local plans or by-laws and he may order an Amendment to a local plan.
		16 The Minister may direct a local municipalities to prepare and adopt a plan or zoning by-law conforming to the Niagara Escarpment Plan.
		17 The Plan must be reviewed not later than five years after coming into effect, and subsequently at five-year intervals.

Subject Reference Description and Notes

NIAGARA ESCARPMENT
(Cont'd)

- 18 The Minister may expropriate land to develop the Plan.
- 19,20 The Minister may make grants to assist in implementing the Plan.
- 21 The functions of the Commission may be transferred to a region or county council, when the Plan has been substantially completed.
- 22 The Minister may designate any area as being under development control and the Minister of Housing may regulate the issuance of development permits.
- 23 No development may occur and no building permit may be issued without prior receipt of a development permit. (Maximum fine: \$10,000) Development in contravention of the Act may be demolished.
- 24 The issuance of development permits may be delegated to the Commission or some other body. The permit relates to the development itself and is not a personal permit.
- 28 Agreements may be made for fixed assessments on lands whereupon assessments would otherwise be increased due to a Plan designation. The Minister may reimburse the municipality where agreements for fixed assessments have been concluded.

- development
control

- fixed assessment

NOISE

Municipal Act 354(1)118

Council may prohibit the making of noise likely to disturb the inhabitants in any defined area. (These by-laws are difficult and expensive to enforce because of the need for corroborative evidence. A by-law pursuant to the Environmental Protection Act is usually preferable).

Environmental Protec-
tion Act

1(c) A contaminant is defined to include noise.

14 The province may prosecute noise polluters under the general provisions of this section which prohibits the emission of contaminants which "may endanger the health or safety of any person; may injure or damage or cause damage to i) real or personal property, or ii) plant or animal life.

- control order

69-76 The Directors of branches within the Ministry may issue "control" or "stop orders" (where authorized by this Act) in order to control or stop the amount of contaminant being discharged into the environment by the person indicated on the order.

- model by-law

95a The council of a local municipality may pass by-laws regulating the emission of sound, prescribing maximum permissible sound levels, providing for the licensing of persons and premises with respect to noise emissions and prescribing procedures for determining noise levels. These by-laws are subject to the Minister's approval. (A Model Municipal Noise Control By-law has been prepared by the Ministry of the Environment (August, 1978). The booklet containing the model by-law also includes some related publications: "Guidelines for Noise Control in Land Use Planning" and "Guidelines for Noise Control in Rural Areas").

- vehicular noise

Highway Traffic Act 49

Excessive vehicular noise, fumes or smoke are prohibited.

Provincial policy is outlined in "Guidelines on Noise and New Residential Development Adjacent to Freeways" (March 1978) published by the Ministry of Housing. C.M.H.C. has published a document entitled "New Housing and Road and Rail Noise".

see also AIRCRAFT NOISE

Non Profit Housing

see HOUSING - Non-profit
or community sponsored
housing

NORTH PICKERING

North Pickering Develop-
ment Corporation Act
(Housing)

2 The North Pickering Planning Area may be established by the Minister.

18 The North Pickering Development Corporation has the responsibility of preparing a Plan for Development and developing the Planning Area accordingly.

19 The Plan for Development may contain various planning policies, including land use, environmental control, hard and soft services, transportation, etc.; policies relating to the financing of public development projects; and capital works and implementation policies.

Subject

Reference

Description and Notes

NORTH PICKERING
(Cont'd)

20,21 The Corporation must, in accordance with The Planning Act, request the council of each municipality that has planning jurisdiction to make such amendment to its official plan as may be required to enable the Planning Area to develop in accordance with the Plan for Development; and amendments must also be requested when the North Pickering Plan is amended.

22 The Corporation may, among other things,

- prepare and submit plans of subdivision for approval;
- acquire, lease, improve and dispose of land;
- provide and maintain services, amenities, structures, etc.;
- apply for building and other permits;
- make such by-laws, rules and orders as required, establish to the Minister's approval;
- with the Minister's prior approval in writing, establish and carry on any business or undertaking;
- with the prior approval of Cabinet, make loans.

Note: The responsibilities of the North Pickering Development Corporation are currently being carried out by the Ontario Land Corporation.

see also ONTARIO LAND
CORPORATION

Noxious manufactures

see INDUSTRIAL NUISANCES

NUISANCE

Public Health Act

28 Where information is given in writing to a local board of health by a resident householder of the existence of a nuisance or unsanitary condition, the local board must forthwith investigate the complaint and take all necessary steps to abate it.

35 If the local board doesn't act expeditiously, the Minister may step in and charge the municipality.

85-96 Any condition that may become injurious to health may be deemed a nuisance. Among other matters, this may include refuse accumulation, water supply pollution, industrial location, dwelling overcrowding, air pollution, etc.

see also PUBLIC HEALTH,
INDUSTRIAL NUISANCE

Nursery, Day

see HEALTH AND SOCIAL
SERVICE INSTITUTIONS -
Day Nursery

NURSING HOME

see HEALTH AND SOCIAL
SERVICE INSTITUTIONS -
nursing home

Subject	Reference	Description and Notes
OBSTRUCTION OF VIEW AT INTERSECTIONS AND ALONG ROADS	Municipal Act 451	Council may enter into agreements for the removal of trees, shrubs, fences, signboards, etc., obstructing visibility at an intersection. If no agreement is obtained, an order may be sought from a county court judge.
	Public Transportation & Highway Improvement Act	27(7) Subject to appropriate compensation, the Minister may require the removal of any obstruction which might impair the safety or convenience of travellers on a King's Highway.
		99 A county or township may fix the distance from centre-line within which no tree, building, sign or other obstruction may be allowed which might cause snow to accumulate or might obstruct vision.
	see also HIGHWAY - King's Highway	
Occupancy permit	see CERTIFICATE OF OCCUPANCY	
Occupied water privilege	see LAKES AND RIVERS -	
Offensive trades	see INDUSTRIAL NUISANCES	
OFFICE	Industrial Safety Act (Labour)	1(k) "Office" includes a building, including any land appertaining thereto, or that part of a building occupied and under the control of a separate employer and used for office purposes, and any other building, including any land appertaining thereto, or part thereof designated by the Lieutenant Governor in Council as an office under section 3.
		1(l) "Office Building" means a building, including any land appertaining thereto, used or occupied for office purposes and not as a shop or factory, and includes a part of such a building when so used or occupied, and any other building, including any land appertaining thereto, or part thereof designated by the Lieutenant Governor in Council as an office building under section 3.
OFFICIAL COMMUNITY PLAN	National Housing Act 2	"Official community plan" means a master plan of community development and land utilization prepared by a local planning authority and legally adopted by or on behalf of a municipality.
Official Plan	P.A. 1(h), 2, 5, 12, 17	A pamphlet is available from the Ministry of Housing, entitled: "Procedures for the adoption, submission and lodging of official plans and amendments pursuant to the requirements of The Planning Act".
Old Age Homes	see HEALTH AND SOCIAL SERVICE INSTITUTIONS - home for the aged	
Old people	see elderly persons housing; ELDERLY PERSONS CENTRE	
One-family dwelling	see HOUSING -	
Ontario Building Code	see BUILDING CODE	
ONTARIO CO-ORDINATE SYSTEM	Surveys Act O/Reg. 809 (Natural Resources)	The Ontario Co-ordinate System is a system of co-ordinate surveys made for the purpose of establishing the location of points on the surface of the earth by geographic or grid co-ordinates. The system is a universal transverse Mercator projection modified to a 3 degree zone of the Clarke spheroid of 1866.
Ontario Housing Corporation	see HOUSING -	
ONTARIO LAND CORPORATION	Ontario Land Corporation Act (Housing)	Ontario Land Corporation is a provincial crown agency responsible for planning, developing, marketing, managing, financing and disposing of lands acquired by the province for development. It is responsible for, among other projects, the North Pickering and Townsend communities.
Ontario Municipal Board	see MUNICIPAL BOARD	
Ontario Planning and Development	see PROVINCIAL PLANNING	
Open Space	see PARKS; PARKWAY BELT; SITE PLANNING	

O

Subject

Reference

Description and Notes

OUTDOOR FESTIVAL

Public Health Act 6a

"Outdoor festival" means a festival for the assembly of more than 2,000 people out of doors for at least 24 hours for musical or theatrical entertainment. The Minister may, with Cabinet approval, make regulations for health and safety standards, for bonding of the promoters, etc. Provision is made for fines up to \$10,000.

Outhouses

see GARAGE; PUBLIC HEALTH

Overcrowding

see PUBLIC HEALTH -

Subject	Reference	Description and Notes
PARCEL	Boundaries Act 1(h) (Consumer & Commercial Relations)	"Parcel" means a lot, block easement, right of way, or other area into which land is divided.
PARKS - area rate	Municipal Act 352(68-71)	Council may acquire land for park purposes. The cost may be area rated.
	Public Parks Act (Intergovernmental Affairs)	3 Parks established under this Act must be managed by "The Board of Park Management", which may acquire land, etc.
	Parks Assistance Act (Natural Resources)	2 The parks established under this Act must be maintained and operated for the use and enjoyment of the public in such a manner as will be complementary to the use and enjoyment of provincial parks. 3 This Act authorizes grants to assist municipalities in the acquisition and development of an approved park or the conversion of a park to an approved park. 5 Municipalities must file for assistance to the Ontario Parks Integration Board. 10 Municipalities may pass by-laws (with regard to these parks) regulating such things as: the care, preservation, improvement and management of the park, the amount of traffic in the park, admission prices, etc.
	see also P.A. 33(5) & (8)-(11); P.A. 35b; PROVINCIAL PARK; RECREATION; SCHOOLS - recreation; HISTORICAL PARK	Refer also to the pamphlet "Parkland For People" prepared by the Ministry of Housing.
Parking areas	see Site Plan Control; SITE PLANNING; HIGHWAY - leasing use of untravelled portions; PERMIT PARKING; P.A. 35(29)-(32)	
PARKING LOTS - area rate	Municipal Act 352	(72) Council may establish a public parking lot and may, with O.M.B. approval, levy the cost on a defined area.
	Municipal Act 361(20)	(73) A parking authority may be established for the operation of parking facilities within the municipality. The Minister of Housing may make loans or grants to a municipality for the establishment of a public parking lot.
	see also P.A. 35(29)-(32)	
PARKWAY BELT	Parkway Belt Planning & Development Act (Housing)	1 The Minister may define a Parkway Belt Planning Area and direct that a Parkway Belt Plan be prepared. (To date, the Parkway Belt West Plan has been prepared and approved by Cabinet). 2 The Parkway Belt Plan is a development plan within the meaning of the Ontario Planning and Development Act. 5 An agreement may be made for fixed assessment if an existing land use differs from the Parkway Belt Plan or local plan designation and the assessment would otherwise be increased as a result of the designation. The Minister may reimburse the municipality for the reduced assessment. 6 The Minister may make land use regulations within the Parkway Belt Planning Area (Zoning orders). Such regulations need not conform to a local official plan.
- fixed assessment		
- zoning orders		
Part lot control	P.A. 29	
Partial Sales and Partial Foreclosures	P.A. 29(5e)	
PARTITION	Partition Act (Attorney General)	This Act is intended to provide for the equitable division of assets in land among two or more co-owners, creditors, partners, mortgagees, etc.. Its unexpected use to create a "checkerboard" subdivision led to the introduction of Section 33a of The Planning Act in 1978.
PEDESTRIAN MALL	Municipal Act 354(1)(110)	Council may establish a pedestrian mall, with the approval of the Minister of Transportation and Communications. Any class of vehicle may be excluded at any specified time.
	Municipal Act 443(7)	In closing a road, council may specify that it is closed for vehicular traffic only, and may erect barricades.
Pedestrian overpass	see HIGHWAY - use of	
Pedestrian underpass	space over or under a highway	

P

Subject

Reference

Description and Notes

Penalties	see ENFORCEMENT OF BY-LAWS	
PERMIT PARKING	Municipal Act 354(1)107a	Council may pass by-laws allowing parking on designated parts of highways for specified periods and during specified hours, subject to permits.
PIPELINE	Ontario Energy Board Act 38-41 (Energy)	No transmission line for natural gas may be constructed without an order from the Energy Board. Provision is made for notice, objection procedures, hearing and expropriation. The Ontario Energy Board has produced a booklet entitled "Environmental, Agricultural and Resources Guidelines for the Construction and Operation of Pipelines in the Province of Ontario", dated September, 1976. It is obtainable from the Ontario Government Bookstore.
PITS AND QUARRIES	Pits and Quarries Control Act (Natural Resources)	1 Pits, quarries and wayside pits are defined. (The latter are temporary pits for road projects). 2 The Act applies only to the areas designated by Cabinet regulation. 4 No pit or quarry may be established without a license from the Minister. Applications must include a site plan, including land use within 500 feet of the boundaries of the lands to be set aside for the pit or quarry. Operations must conform to the site plan. 5 If anyone objects to an application, the matter must be referred to the O.M.B. 6 The Minister may refuse to issue a licence if it is against the public interest, in his opinion. No licence may be issued if the location contravenes an official plan or local by-law. Where there is no official plan or by-law regulating pit and quarry location, council must be notified and if they object within 45 days, the Minister shall not issue the licence. 7 A licence must be reviewed at least annually and may be revoked. 11 Every licensee must submit a deposit as required by the regulations and may forfeit that deposit if rehabilitation is not adequately carried out. 12 Wayside pits require a permit. 15 The Minister may enforce compliance with the Act by applying for a restraining order. 17 This Act prevails over a municipal by-law. A completely new Act dealing with pits and quarries received first reading on June 14, 1979, but had not received third reading at the time of publication. When in effect, it will repeal The Pits and Quarries Control Act. "Guidelines for Mineral Aggregate Resource Planning" is a pamphlet in preparation at the time of publication.
- restraining order		
	Aggregates Act, 1979 (Natural Resources)	
Place names	see GEOGRAPHIC NAMES	
PLACE OF AMUSEMENT	Retail Sales Tax Act (Revenue)	"Place of amusement" means an amusement park or a premises or place whether enclosed or not, where a cinematographic moving picture machine or similar apparatus is operated, or where a theatrical performance or entertainment, carnival, circus side show, menagerie, concert, rodeo, exhibition, horse race, athletic contest or other performance is staged or held or where facilities for dancing are provided to the public with the service of liquor, beer or wine and for which admission is granted upon payment of a price of admission through the sale of tickets or otherwise.
Planned Communities	see NEW COMMUNITIES	
Planning area	P.A. 2	
Planning board	P.A. (3-5), (8-12)	
PLANNING COMMITTEE	Regional Municipality of Act	The regional Acts provide for the appointment of planning committees by the regional council and by the councils of area municipalities.
Plan of subdivision	see SUBDIVISION PLAN	
Playgrounds	see PARKS; RECREATION	

Subject	Reference	Description and Notes
PLUMBING	Ontario Water Resources Act (Environment)	Note that the plumbing sections of the Act are administered by the Building Code Branch of the Ministry of Consumer and Commercial Relations. (O. Reg. 54/76).
	62(1)(f,g,h)	The Minister may regulate plumbing (Regulation 647 as amended.)
		63 Plumbing inspections may be undertaken by local municipalities, counties or boards of health.
		66 No municipal by-law regulating plumbing has any effect.
	Municipal Act 354(1)75	Council may charge a fee for plumbing inspections.
Police costs	see AREA RATE - police	
POLICE VILLAGE	Municipal Act 471-500	Various provisions describing the powers of the trustees of a police village. They may be concerned with sidewalks, culverts, roads, public utilities, fire protection, parks and certain other matters described in Section 487.
Pollution	see PUBLIC HEALTH, WATER QUALITY, AIR POLLUTION, AGRICULTURAL POLLUTION, LAKES AND RIVERS, SIGN CONTROL, WASTE MANAGEMENT, SPILL, NOISE	
POLLUTION ABATEMENT	Pollution Abatement Incentives Act (Environment)	This Act provides for grants to municipalities, industries, schools, hospitals, etc. and individuals for pollution abatement equipment.
	see also CONTROL ORDER	
Ponds	see CONSERVATION (NATURAL ENVIRONMENT)	
Portable Housing	see MOBILE HOMES	
Preservation of historic buildings	see CONSERVATION (CULTURAL)	
Preservation of wilderness	see WILDERNESS	
Private Hospital	see HEALTH AND SOCIAL SERVICE INSTITUTIONS -	
PRIVATE ROAD - snowplowing		With the repeal of Section 429 of The Municipal Act, municipalities are now no longer exempt from liability when plowing a private road or unopened road allowance.
Private school	see SCHOOLS - private	
Property exempt from taxation	see ASSESSMENT -	
Property standards committee	P.A. 36(11) see also Maintenance and Occupancy Standards	
Prospectus	see FOREIGN LAND SALES	
Provincial Land Tax	see UNORGANIZED TERRITORY - assessment	
PROVINCIAL PARK - classification	Provincial Parks Act (Natural Resources)	5 Cabinet may classify provincial parks as natural environmental, nature reserve, primitive, recreational, wild river or some other class of park. (The Planning and Management Policies manual published in 1978 describes six classes in current use: natural environment park, nature reserve, wilderness park, recreation park, waterway park and historical park).
- zoning		7(2) The Minister may designate zones such as: historic zone, multiple use zone, natural zone, primitive zone, recreational zone, etc. (The currently used zones are: historical, natural environment, wilderness, nature reserve, access and development).
- access road		8 The Minister may enter into agreement with a municipality and subsidize the construction and maintenance of a road leading to a provincial park. Approval is required from the Cabinet. Similar arrangements may be made in unorganized territory.
- use of land		19 Cabinet may make regulations controlling the use or occupation of land, erection of buildings, structures and signs, etc.

Subject

Reference

Description and Notes

PROVINCIAL PARK
(Cont'd)

- licence of
occupation

18 A licence of occupation may be issued under the regulations to permit mining in a provincial park.

PROVINCIAL PLANNING

Ontario Planning and
Development Act
(Housing)

This Act provides for the preparation of a development plan for a provincially defined planning area.

see also PARKWAY BELT,
NIAGARA ESCARPMENT,
REGIONAL ECONOMIC
DEVELOPMENT

Public garage

see GARAGE

PUBLIC HALL

Public Halls Act 1
(Attorney General)

"Public hall" means a building, including a portable building or tent with a seating capacity for over 100 persons that is offered for use or used as a place of public assembly, but does not include a theatre within the meaning of The Theatres Act or a building, except a tent, used solely for religious purposes.

PUBLIC HEALTH

Public Health Act

4 The duties and responsibilities of the Ministry include to determine whether the existing condition of any premises or the method of manufacture or business process, or the disposal of sewage or other waste or garbage is a nuisance or injurious to health -- and to enter upon any premises and make such orders and give such directions with regard to the structural alterations of the premises or with respect to any other matter as the Ministry deems advisable in the interests of public health.

6 The Minister may, with Cabinet approval, make regulations for:

- nuisances

- the removal of nuisances and unsanitary conditions,
- directing the alteration or destruction of any building unfit for human habitation,

- overcrowding

- preventing overcrowding by limiting the number of dwellings on premises,

- resorts

- the sanitary precautions to be taken in health resorts, summer resorts and on boats plying upon inland waters, and for preventing pollution of such waters,

- boats

- defining, regulating and licensing summer camps, summer resorts and agricultural camps but not including premises commonly known as tourist camps, boarding houses or lodging houses,

- water pollution

- prescribing standards for the location, construction, alteration, repair and equipment of premises to be used as dwellings,

- camps

- defining public swimming pools and regulating or prohibiting their construction, alteration, repair, location, maintenance and use, (see also Section 126 for by-laws regulating public swimming pools),
- governing, regulating and restricting the storage, collection and disposal of garbage and refuse in private premises and households.

- building standards

8 The above regulations prevail over any local by-law.

- swimming pools
(public)

13 Every municipality in Ontario must have a local board of health unless it is in a "health unit".

- garbage and refuse
(private)

36 One or more counties, or a group of municipalities may establish a health unit. Provincial assistance may be provided.

- local board of
health

87 A medical officer of health or an inspector may enter any premises at all reasonable times and may order that the premises be closed if necessary for health reasons. Provision is made for appeal.

- health unit

101 A medical officer of health or an inspector may enter into a lodging house where he has reason to suspect overcrowding which is deemed unhealthy.

- entry on private
property

105 Where the Ministry reports in writing that water or sewerage works are necessary in the interest of public health, the municipality must forthwith pass all necessary by-laws and undertake the required works without unnecessary delay.

- lodging houses

112 The council of a city or town may by by-law establish a public slaughterhouse or abattoir.

- waterworks,
sewerage

128-129 The Minister may make regulations respecting industry to prevent nuisances and may provide for the inspection of houses and premises in unorganized territory.

- public
slaughterhouses

Schedule B This is a by-law in force in every municipality until altered by council. It deals with location of slaughterhouses, removal of garbage, provision of toilets in restaurants, keeping of swine, etc. The clause providing for fines was deleted in 1974.

- unorganized
territory

Subject	Reference	Description and Notes
Public Hospital	see HEALTH AND SOCIAL SERVICE INSTITUTIONS -	
Public housing	see HOUSING -	
PUBLIC LANDS	Public Lands Act (Natural Resources)	7 Cabinet may make such regulations as are considered necessary to carry out the provisions of the Act, or to meet cases for which no provision is made by the Act.
- public reserves		3 Where at least 25% of the frontage on a water body is public, at least 25% of that frontage will be retained for access and recreation. Where less than 25% remains, it will all be retained.
- zones		16 The Minister may establish zones such as "Open", "Deferred", "Closed", etc. and may regulate and administer the use of public lands accordingly. The Minister may designate areas wherein no resort development may occur except by registered plan of subdivision.
- restricted area		17 In areas without municipal organization the Minister may designate a "restricted area", which gives him control over building permits and land improvements "on such terms and conditions as he considers proper".
- sale or lease		19-22 and 27 Cabinet may make regulations prohibiting or controlling the sale or lease of public lands for other than agricultural purposes. The letters patent may include conditions re the use of the land. Violation of the conditions may result in forfeiture of the land. Upon cancellation of a sale or lease all buildings become Crown property. (See also O. Reg. 246/71 re sale and lease).
- licence of occupation		23 A licence issued by the Minister to permit mining exploration on public lands. Subject to the conditions attached to it, the licence carries similar rights as letters patent.
- dumping of fill		29 Any person who deposits any material on public land or water is liable to a fine of \$500.
Crown grants		40 Means a grant of a freehold or leasehold interest in unpatented public lands.
- public agricultural lands committee		48 Appointed by the Minister, this committee recommends suitable areas for sale or other disposition as agricultural land and measures for their development.
- forest roads		50-57 This deals with private and public forest roads. (Definition etc.)
- trees		59-60 Trees on land disposed of for agricultural purposes remain Crown property until the letters patent are issued.
- mineral rights		62-64 In letters patent issued after 1957 the mineral rights are reserved to the Crown.
- cottage lot condition		70 Where lands have been granted subject to the condition that a cottage be constructed within 18 months, such condition is void.
- subdivision		72 Where public lands have been disposed of and the owner subdivides the land within five years of the issue of letters patent, one quarter in area of the lots is vested in the Crown.
- dams		74 The Minister may construct dams and other water control works, expropriate land, etc.
- summer resort locations	Ontario Regulation	246/71 "Cottage" means a building in which facilities are provided for cooking and for shelter for one or more persons living therein as a single and non-profit housekeeping unit. There is no restriction by definition or regulation to differentiate between permanent and seasonal occupancy of a summer resort location. The standard form of lease requires compliance with zoning by-laws and limits the use to a single non-profit housekeeping unit of one cottage and accessory buildings.
PUBLIC PARTICIPATION		
- in plan-making	P.A. 12(1)b	One of the duties of a planning board is to "hold public meetings and publish information for the purpose of obtaining the participation and cooperation of the inhabitants of the planning area in determining the solution of problems or matters affecting the development of the planning area".
- notifications and objections	P.A. 29(11), 35(12), 42(5)	

Subject

Reference

Description and Notes

PUBLIC PARTICIPATION
(Con'td)

- appeals, public
hearings

see DRAINAGE, ENVIRON-
MENTAL ASSESSMENT;
MUNICIPAL BOARD -
appeals; P.A. 37a(4),
(5) and 42(7), (15);
Ontario Planning and
Development Act 6(4),
44(6); Municipal Act
14(4) and 446

- hearings

Statutory Powers
Procedure Act
(Attorney General)

This Act sets rules for hearings whose outcome
may affect the legal rights of individuals. It
formalizes certain principles of natural justice
to ensure hearings are conducted fairly.

Public reserves

see PUBLIC LANDS -

Public schools

see SCHOOLS -

PUBLIC TRANSPOR-
TATION

- area rate

Municipal Act 354(1)89-90

Council may operate a public bus transportation system
and may levy a special rate in a defined area to cover
any operating deficit.

460.9 Council may designate any land on any road over which
the municipality has jurisdiction as a lane solely or
principally for use by public transit motor vehicles.

Public Transportation
& Highway Improvement
Act

87-87c Various provisions relating to provincial and municipal
subsidies. "Public transportation" means any service
for which a fare is charged for transporting the public
by vehicles operated by or on behalf of a municipality
or a local board thereof, or under an agreement between
a municipality and a person, firm or corporation and
includes special transportation facilities for the
physically disabled, but does not include transportation
by special purpose facilities such as school buses or
ambulances.

Highway Traffic Act 128a

Council may prohibit commercial motor vehicles other
than buses in the left lane of a highway having 3 or
more lanes in each direction and a maximum speed of
80 kilometres per hour or more.

- urban transit
service area

Regional Municipality of
Hamilton-Wentworth Act 53h

The Regional Council shall apply to the Minister of
Transportation and Communications to have an area
within the Region defined as an Urban Transit Service
Area. The Region may thereby obtain licensing powers
for public transportation within the Area. The
Region's eligibility for provincial transportation
subsidy may also be improved within the Area.

see also RAPID TRANSIT;
COMMUTER SERVICES;
PUBLIC VEHICLE

PUBLIC UTILITIES

Municipal Affairs
Act 1(g)

"Public utility" means a waterworks, gasworks, including
works for the transmission, distribution, and supply of
natural gas, electrical power or energy works, or system
for the generation transmission or distribution of
electric light, heat or power, a telephone system, a
street or other railway system, a bus or other public
transportation system or any other works or system for
supplying the inhabitants generally with necessities or
conveniences that are vested in or owned, controlled or
operated by a municipality or municipalities or by a
local board.

Ontario Municipal Board
Act 1(d)
(Intergovernmental
Affairs)

"Public utility" means a waterworks, gasworks, including
works for the production, transmission, distribution and
supply of natural gas, electric heat, light and power
works, and telegraph lines, or any works supplying the
general public with necessities or conveniences.

- water supply

Public Utilities Act
(Intergovernmental
Affairs)

2,4 A municipality may operate waterworks, build reservoirs,
divert water bodies to protect the water supply, etc.,
and may assess the cost of water supply on rateable
property in a defined area.

- area rate

6,7 Service pipes from the street line to a building are the
property owner's financial responsibility, but under
municipal control

11,25 A municipality may supply water and other utilities
beyond its boundaries.

- area rate

14 A special rate may be levied for waterworks debentures
on land not more than 100 metres from a water pipe.

- gas, electricity,
etc. and sewerage

17,40(6) A municipality may also operate works for gas, electri-
city, steam or hot water, and sewerage.

Subject	Reference	Description and Notes
PUBLIC UTILITIES (Cont'd)		<p>23 Passages common to neighbouring owners may be broken up to lay or repair pipes, provided they are restored.</p> <p>35 Profits from a municipal utility other than hydro must be turned over to general revenue.</p> <p>38-48 Control of public utilities may be entrusted to a Public Utilities Commission.</p> <p>55 Where there is sufficient supply, no building along a supply line may be denied the supply.</p> <p>56 O.M.B. approval may be required to lay main pipes closer than 2 m. to any existing main.</p> <p>64 The operation of a bus, railway, street car or telephone system may be entrusted to a Public Service Commission or to an existing Public Utilities Commission.</p>
- transportation and telephones		
- area rate	Municipal Act 294(2); 354(1)53(f) and 354 (2) and (3) see also AREA RATE	Council may levy a special annual rate in an area to defray the cost of a public utility provided in that area.
PUBLIC VEHICLE	Public Vehicles Act 1(g)	"Public vehicle" means a motor vehicle operated on a highway by, for or on behalf of any person for the transportation for compensation of passengers, or passengers and express freight that might be carried in a passenger vehicle, but does not include the cars of electric or steam railways running only upon rails, taxicabs, nor motor vehicles operated solely within the corporate limits of the urban municipality.
PUBLIC WORKS	Ministry of Government Services Act	This Act provides for provincial public works.
- entry on private property		<p>12 The Minister or his agents may enter upon any land or use any stream, cut any trees, carry away any earth, divert any pipe or wire, etc., without the owner's consent, for any purpose relative to the use, construction, maintenance or repair of a public work.</p>
	P.A. 19	

Q

Subject

Reference

Description and Notes

Quarry

see PITS AND QUARRIES

QUIET ZONE

The Model Municipal Noise Control By-law prepared by the Ministry of the Environment contains provisions relating to different types of areas. These include "Residential Area", "Quiet Zone" and "Agricultural Area".

QUIETING ORDER

Municipal Corporations
Quieting Orders Act
(Intergovernmental
Affairs)

A quieting order is an order by the O.M.B. establishing the legal existence or corporate status of a municipality, or establishing its proper area and boundaries in order to quiet doubts affecting them.

Subject	Reference	Description and Notes
RAILWAY RELOCATION	Railway Relocation and Crossing Act Part I (Transport Canada and Canadian Transport Commission)	Railway facilities in urban areas may be relocated to open the way for urban improvements. The Minister of Transport may pay up to 50% of the cost of preparing an urban development plan, and 50% of the cost of preparing a transportation plan. A financial plan is also required. The plans must have provincial approval before being sent to the CTC with an application for a relocation order or rerouting order. The CTC may issue a relocation or rerouting order to the rail-road company. MOT may make a grant of up to 50% of the net costs of relocation.
RAILWAY GRADE SEPARATIONS	Railway Relocation and Crossing Act Parts II and III (Transport Canada and Canadian Transport Commission)	Special grants and funds are available for the construction of grade separations and railway crossings.
RAPID TRANSIT	Public Transportation & Highway Improvement Act	87 Various provisions relating to provincial subsidies, etc.
Receiving Plant for Dead Animals	see RENDERING PLANT	
Record of by-laws effecting land	see INDEX OF MUNICIPAL BY-LAWS	
RECREATION	Municipal Act 352.74 see also SCHOOLS -; ELDERLY PERSONS CENTRE; COMMUNITY CENTRE; PROVINCIAL PARK - classification	Council may acquire, build, operate and manage parks, recreational areas, community centres, art galleries, arenas, auditoriums, stadia, museums and other places of recreation or amusement. Money may be borrowed and the cost may be levied on any defined area of the municipality.
Redevelopment	see HOUSING; P.A. (22-28)	
REFERENCE PLAN	Land Titles Act Registry Act 78(a) and reg. 780(7) (Consumer & Commercial Relations)	167 A "reference plan" is a plan of survey prepared by an O.L.S. and deposited or recorded in the proper land registry office. A Reference Plan is not a registered plan of subdivision but provides a graphic description of land by designating units of land as "PARTS". These plans do not create new geographic units or designations but make it possible to replace a conventional metes and bounds description by referring to the Parts on the plan.
REFUSE ACCUMULATION	Municipal Act 354(1)69 see also PUBLIC HEALTH - garbage and refuse; maintenance and occupancy standards	Council may pass a by-law requiring and regulating the filling up, draining, cleaning or clearing of any grounds, yards and vacant lots.
Refuse disposal	see WASTE MANAGEMENT	
REGIONAL ECONOMIC DEVELOPMENT	Regional Development Incentives Act (Federal - Regional Economic Expansion)	3 After consultation with the provincial government, Cabinet may designate a region of not less than 5000 square miles as requiring special measures to facilitate economic expansion and social adjustment. In Ontario, the north part of the province is so designated, the southern boundary extending approximately from Parry Sound to Renfrew.
- designated region		
- incentives	see also PROVINCIAL PLANNING	4-6 In a designated region, the Minister may authorize financial assistance for the establishment, expansion or modernization of a manufacturing or processing operation. Criteria are established determining the maximum amount of the incentives.
REGIONAL MUNICIPALITIES	Regional Municipality of.. Act, District Municipality of Muskoka Act, Municipality of Metropolitan Toronto Act see also RESTRUCTURED COUNTIES, DISTRICTS	Each Region has its own specific enabling provincial Act. They include Durham, Haldimand-Norfolk, Halton, Hamilton-Wentworth, Niagara, Ottawa-Carleton, Peel, Sudbury, Waterloo and York. Also Muskoka and Toronto. The distribution of planning responsibility between the regional and local level differs between regions.
Regional Planning	see REGIONAL MUNICIPALITIES, SEWERAGE - regional plan; WATERWORKS - regional plan; PROVINCIAL PLANNING	Refer also to the Ontario Planning and Development Act, which provides for "development plans" in areas defined by the Minister.

Subject

Reference

Description and Notes

REGISTERED PLAN	Land Titles Act 161, 171(1) and 172(1) (Consumer & Commercial Relations)	Where land is being subdivided for the purpose of being sold or conveyed in lots, the subdivider must register a plan certified by an O.L.S. in the Land Titles or Registry Office. No such plan to which The Planning Act applies may be registered unless approved under the Act. No plan, though registered, is binding unless a sale has been made according to the plan.
- dissolving a registered plan	see JUDGE'S ORDER	
- deeming a registered plan	see P.A. 29(3)	
REGISTRAR'S COMPILED PLAN	Registry Act 81 (Consumer & Commercial Relations)	The Registrar's Compiled Plan is a bookkeeping tool of the Land Registration System, to facilitate the breaking down of the Abstract Index, in those areas where searching has become costly and time consuming. These plans are prepared largely without benefit of survey, from Registry Office records. Each property in a given area is assigned a compiled plan lot number and the Registrar's Compiled Plan then becomes the visual graphic index for the new Abstract Indexes opened up under these lot numbers.
	see also P.A. 29(5d) see also MUNICIPAL PLAN; JUDGE'S PLAN; REFERENCE PLAN; LAND REGISTRATION	
Rehabilitation	see HOUSING -; P.A. 22-28	
RELIGIOUS INSTITUTIONS	Religious Organizations' Lands Act, 1979 (Attorney General)	"Religious organization" is defined to include all denominations. Provision is made for a religious organization to hold land for any religious purpose.
Relocation Costs	see EXPROPRIATION -	
RENDERING PLANT	Dead Animal Disposal Act (Agriculture and Food)	1(g) "Receiving Plant" means a premises to which dead animals are delivered for the purpose of obtaining the hide, skin fats, meat or other product of the dead animals or for the purpose of selling or delivering the dead animals or parts thereof to a rendering plant. 1(h) "Rendering Plant" means a premises at which dead animals are processed into hides, meat, bone meat, meat meal or inedible fats. 2 This Act does not apply to establishments operating under the Meat Inspection Act (Canada).
	see also SLAUGHTERHOUSES	
RENT REVIEW	Residential Tenancies Act, 1979 (Attorney General)	This Act repeals and replaces the Residential Premises Rent Review Act. However, it provides for the continuation until December 31, 1980 of the rent review program previously governed by the repealed Act. The Residential Tenancy Commission is established to discharge the duties previously performed by county court judges in respect of residential tenancy matters, as well as those of rent review officers and the Residential Premises Rent Review Board. The Act defines the basic rights and responsibilities of landlords and tenants.
Rent supplement	see HOUSING -	
Rental housing	see HOUSING -	
Reserved bus lanes	see PUBLIC TRANSPORTATION	
Reservoirs	see CONSERVATION; DRAINAGE; PUBLIC UTILITIES	
Residential rehabilitation	see HOUSING - rehabilitation and conversion	
Resort subdivision road rate	see HIGHWAY - Township road	
Resource road	see HIGHWAY -	
Restoration of Buildings	see CONSERVATION (CULTURAL); HOUSING - rehabilitation and conversion; OHRP	
Restraining order	see JUDGE'S PLAN; SUBDIVISION PLAN AREA; PITS AND QUARRIES -	

Subject	Reference	Description and Notes
Restricted area	see PUBLIC LANDS -	
Restricted area by-law	P.A. 35; see also INDEX OF MUNICIPAL BY-LAWS	O. Reg. 597/79 deals with notice requirements when a municipality proceeds under subsection 25 of Section 35 of The Planning Act. A guideline explaining the administrative procedures has been published by the Operations and Development Control Branch of the Ministry of Housing.
RESTRICTIVE COVENANT	Conveyancing and Law of Property Act 62 (Attorney General)	A restrictive covenant may be modified or discharged by order of a judge.
RESTRUCTURED COUNTIES, DISTRICTS	County of Oxford Act (Intergovernmental Affairs)	The County of Oxford was restructured in 1974 and has a limited form of regional government. Some planning functions are at the county level (land division, official plan).
	District of Parry Sound Local Government Act, 1979 (Intergovernmental Affairs)	Townships and towns have been consolidated into larger units but no regional government has been established.
Road access to property	see MOTOR VEHICLE ACCESS TO PROPERTY	
ROAD ALLOWANCE ABUTTING WATER	Municipal Act 443(3)	No original road allowances around a lake or leading to water may be closed or diverted without the approval of the Minister of Housing.
ROAD CLOSING	Surveys Act 57(2) (Natural Resources)	When a municipality closes a road allowance which is a public highway but which has not been assumed for public use, the closed road allowance belongs to the owners of land abutting thereon, if the road had earlier been deeded to the municipality. If the closed road is a road allowance reserved on the original survey, the municipality may sell it and the abutting owners have the first option to buy it.
	Municipal Act 461	
	Public Transportation & Highway Improvement Act 22(2)	A municipality may not open, close or divert a road touching a King's Highway without the consent of the Minister.
	Municipal Act 443	Council may pass a by-law to close a road, either permanently or for a specified period of time. The by-law must be approved by the Minister if the road is shown on a subdivision plan registered after March 27, 1946.
- temporary closing	Municipal Act 352(61)	Council may close a road on a temporary basis for social, recreational, community and athletic purposes.
	Municipality of Metropolitan Toronto Act	Authority is granted to the Metropolitan Corporation on an annual basis to close part of Yonge Street to traffic from June to September.
	see also JUDGE'S ORDER; UNORGANIZED TERRITORY; HIGHWAY; PEDESTRIAN MALL	
Road-leasing of untravelling portion	see HIGHWAY -leasing, etc.	
Road, private - snowplowing	see PRIVATE ROAD - snowplowing	
Roads on public lands	see PUBLIC LANDS	
ROAD REPAIR	Public Transportation and Highway Improvement Act 95	The Minister may repair a local road and charge the municipality if the municipality has let the road fall into disrepair.
ROAD WIDENING	Public Transportation and Highway Improvement Act 100	Agreements may be made by a municipality (other than a city or separated town) for the widening of a highway or county road.
	Municipal Act 443	Council may pass by-laws for widening, altering or diverting any highway or part of a highway.
	see also SET-BACKS; LOCAL IMPROVEMENTS; HIGHWAY; P.A. 35a(6)(a)1	
ROAD WIDENING (DEFERRED)	Municipal Act 339	Council may provide for the laying out or widening of a street, but defer the work for between 3 and 10 years. The required land is vested in the corporation but the owner may retain temporary possession. Except as otherwise ordered by the O.M.B. compensation is not payable till the day of entry. The Expropriation Act does not apply.
ROAD WIDTH	Municipal Act 450 P.A. 44b(2)	No road of less than 20 metres may be laid out without the approval of the Minister of Housing, or of a council with delegated authority.

R

Subject

Reference

Description and Notes

Rock festival

see OUTDOOR FESTIVAL

Rubbish on vacant
lots etc.

see REFUSE ACCUMULATION

RURAL DEVELOPMENT

Agricultural Rehabilita-
tion and Development Act
(ARDA) (Agriculture & Food)

A Federal-Provincial Rural Development Agreement
provided for six types of programs, including a
farm consolidation and enlargement program.
The original agreement ran out on March 31,
1979 and has not been renewed at the time of
publication.

Rural housing
programs

see HOUSING -

Subject	Reference	Description and Notes
SAFETY ZONE	Municipal Act 354(1)111	Council may set aside safety zones near bus or street car stops and prohibit cars from driving over them while a pedestrian is in one or entering one.
Sale or lease of public land	see PUBLIC LANDS - sale or lease	
Salvage yards	see JUNK YARDS	
Sand and gravel	see PITS AND QUARRIES; BEACHES AND SHORES	
Sanitaria	see HEALTH AND SOCIAL SERVICE INSTITUTIONS	
Sanitary landfill	see LANDFILL; WASTE MANAGEMENT	
School attendance	see SCHOOLS -	
School pupils from mobile homes	see TRAILERS; TRAILER CAMPS	
SCHOOLS - private	Education Act	1(1)40 "Private School" means an institution at which instruction is provided at any time between the hours of 9 a.m. and 4 p.m. on any school day for five or more pupils who are of or over compulsory school age in any of the subjects of the elementary or secondary school courses of study and that is not a school as defined in this section (i.e. not a public, separate or secondary school)
- site		1(1)53 "School Site" means land or interest therein or premises required by a board for a school, school playground, school garden, teacher's residence, caretaker's residence, gymnasium, offices, parking areas or for any other school purpose.
- attendance		20(2) A child is excused from attendance at school if transportation is not provided by a board for the child and there is no school that he has a right to attend situated within 1.6 km. from his residence if he is under seven, within 3.2 km. if he is under ten, or within 4.8 km. if he is ten or over. 36 If a child lives more than 3.2 km. from school and no bus transportation is provided closer than 0.8 km. from home, he (she) may attend a school in an adjoining school section if it is closer.
- recreation		147(1)9 A school board may operate the school ground as a park or playground and rink. 147(1)22 A school board may permit the school buildings and premises to be used for any educational or other lawful purpose.
- recreation in unorganized territory		147(1)42 Where a recreation committee has been appointed in unorganized territory, a school board may exercise the powers of a municipal council to levy rates and collect taxes for the purposes of the recreation committee.
- recreation, shared use		157 A school board may enter into agreements for shared use of facilities for cultural, athletic, educational, administrative or other community purpose, including community recreation centres.
- transportation		10(1)28 The Minister may make regulations governing the transportation of pupils 163 A school board <u>may</u> provide transportation to and from school.
- private Vocational	Private Vocational Schools Act (Colleges and Universities)	1(c) "Private vocational school" means a school or place at which instruction in any vocation is offered or provided by class room instruction or by correspondence, other than a college of applied arts and technology, a university recognized by the Ministry of Colleges and Universities or course of instruction maintained under any other act of the Legislature.
- mobile homes	see TRAILERS (Mobile homes)	
- school sites	see SCHOOLS - site	
- school transportation	see SCHOOLS - transportation	
- shared use of schools	see SCHOOLS - recreation, shared use	

Subject

Reference

Description and Notes

Secondary highway

see HIGHWAY -

Self-service
gas stationsee SERVICE STATIONS -
self-serviceSemi-detached
dwelling

see HOUSING -

Senior citizen

elderly person

SEPTIC TANK

Environmental Protection
Act, Regulation 229/72
as amended

A fact sheet is available from the Ministry of the Environment. It describes the minimum standards for septic tank system design, including location standards relative to buildings, water bodies and property lines.

see also SEWERAGE;
PUBLIC HEALTH -

SERVICE STATIONS

Municipal Act 354(1)

132 An "automobile service station" means a building or place where gasoline, oil, grease, anti-freeze, tires, tubes, tire accessories, electric light bulbs, spark-plugs and batteries for motor vehicles are stored or kept for sale, or where motor vehicles may be oiled, greased, or washed, or have the ignition adjusted, tires inflated or batteries charged, or where only minor or running repairs essential to the actual operation of motor vehicles are executed or performed.

Council may regulate service stations in defined areas but this power does not permit the location of a service station contrary to a zoning by-law.

Municipal Act 640

133 Council may also limit the number of service stations and of public garages. (Repeal not proclaimed)

Gasoline Handling Act
(Consumer & Commercial
Relations)

1(m) "Service station" means any premises at which gasoline or an associated product is sold and is put into the fuel tanks of motor vehicles or into portable containers;

- self-service

Among other matters, the regulations pursuant to this Act state that self-service gasoline stations must be approved by the Ministry. The Ministry consults with the local municipality before approving an application.

SET-BACKS

Municipal Act 340

Council of a local municipality may establish a minimum building line set-back from a highway, as a preliminary step to widening the highway. Such a by-law requires O.M.B. approval. The required set-back may not exceed 6 metres, except that for the purpose of carrying out an official plan or of improving the appearance or utility of a highway, the O.M.B. may authorize greater set-backs.

see also HIGHWAY -
King's Highway;
OBSTRUCTION OF VIEW

SEWERAGE

Environmental Protection
Act

56 "Sewage system" means a cess pool, septic tank system, leaching pit, privy, holding tank, etc. and also any works for the handling of hauled sewage.

- certificate
of approval

57 No building may be constructed, enlarged or altered if such action affects the operation of the sewage system unless a certificate of approval has first been issued by the Ministry of the Environment. Similarly, no sewage system may be installed or altered without a certificate.

59a No person shall use a new sewage system without first obtaining a permit.

60 An order may be issued against persons operating in contravention of the certificate or permit requirements. If ignored, the work may be undertaken and charged to the owner.

61 No person may construct, clean, repair or empty a sewage system without a licence.

61a A municipality may enter into agreements with the Minister providing for the issuance of certificates of approval, or of permits, or for the making of orders or the carrying out of inspections respecting sewage systems proposed with respect to applications for plans of subdivision or consents, or for the collection of fees for inspections.

61b Applications for approval of plans of subdivision or consents are subject to a fee for each lot. The fee requirement is not applicable to lots of over 10 acres, or to active farms or to subdivisions to be served by a sewage works approved under Section 42 of The Ontario Water Resources Act.

Subject	Reference	Description and Notes
SEWERAGE (Cont'd)		
	Municipal Act 354(1)	71,72 Council may regulate sewage and drainage and may operate sewerage systems.
		129 It may prohibit and regulate the discharge of waste into sewers.
area rate	Municipal Act 362	(1)-(16) Subject to O.M.B. approval, council may impose a sewer rate on occupants of land who may derive a benefit from sewage works to be constructed. The rate applies only to capital costs and no part of that capital cost may then be assessed under The Local Improvement Act. Lands deriving a deferred benefit may be included as well as those deriving immediate benefit.
		(17) Council may also establish a sewage service rate, notwithstanding the work may have been constructed under The Local Improvement Act.
		362a Owners of buildings may be required by by-law to connect their buildings with the sewage works.
public utility commission	Municipal Act 368(5)	The management of a sewerage system may be entrusted to a public utility commission.
	Ontario Water Resources Act (Environment)	42-51 No sewage works may be constructed or enlarged without a prior permit from the Ministry. Before a municipality extends a sewage works into an adjoining territory, the Minister will hold a public hearing. Application may be made to the O.M.B. for an order for needed road closings, etc. Agreements may be made between the municipalities for the use of the sewage works. The O.M.B. may order an amendment to an O.P. or zoning by-law to permit the use of land for sewage works. Sewage works must always be maintained to the satisfaction of the Ministry.
project		52 Municipalities may apply to have the Minister build and operate a sewage works as a project.
		61 A public sewage service area may be designated by the Ministry and conditions may be imposed in order to regulate, provide or require sewage service in the area.
boats		62 The Minister may make regulations relating to sewerage, etc. (see Regulation E.P.A. 229/74 and 419/74--pleasure boat sewage discharge).
		69,70 An industrial or commercial enterprise may be required by the Ministry to install necessary sewerage facilities and any discharge into sewage works may be prohibited or regulated.
loans, grants	National Housing Act Part VIII	50 C.M.H.C. may make loans to assist in the construction or expansion of a sewage treatment project. (Maximum 2/3 of the cost). Alternatively, a grant may be made, not exceeding 25% of the amount of the loan which could have been made.
regional plan		52 C.M.H.C. may subsidize up to 50% of the cost of preparing a comprehensive regional sewerage plan.
	see also LOCAL IMPROVEMENTS; PUBLIC UTILITIES; PUBLIC HEALTH; COMMUNITY IMPROVEMENT	
SHOP	Industrial Safety Act (Labour)	1(r) "Shop" means a building or a part of a building, booth, stall or place where goods are handled or exposed or offered for sale, or any building or part of a building, booth, stall or place where services are offered for sale or where goods are manufactured and that is not a factory or a premises or place where homework is done, and includes a restaurant, bowling alley, pool room, billiard parlour and any other building, booth, stall or place designated by the Lieutenant Governor in Council as a shop under section 3, and in all cases includes any land appertaining thereto.
	see also EARLY CLOSING BY-LAWS	
		3 Cabinet may designate any class of premises, shops, factories, offices or office buildings as being subject to this Act.
shopping area - beautification	see BUSINESS IMPROVEMENT AREA	
shoreland	see BEACHES AND SHORES	
DEWALKS	Public Transportation & Highway Improvement Act	97 A local municipality may construct sidewalks and other improvements with the written consent of the authority having jurisdiction over the road. The cost may be borne out of general funds or by local improvement or be paid by the authority having jurisdiction.
local improvement	see also HIGHWAY - county road	

Subject

Reference

Description and Notes

SIGNS	Municipal Act	354(1) Council may prohibit or regulate signs and may require that non-complying signs be removed within five years from the coming into force of the by-law. The defacing or removal of lawful signs may also be prohibited. (Check also regional Acts for this sign control authority).
		126-126c, 128
	Public Transportation & Highway Improvement Act 31,35	453(3) Council may permit signs to project over the sidewalk. The Minister has authority to control signing on property within 400 metres of a provincial highway. (See booklet of "Directions regarding Buildings, Structures, Signs and Land Use", and also "Guide Signs for Resorts and Cottages", M.T.C. 1973).
	Building Code Act O. Reg. 925/75	Section 3.7 deals with structural and safety requirements for signs. Overhanging signs must be at least 8 feet clear of a sidewalk.
	see also TOURIST ESTABLISHMENTS; HIGHWAYS - gas pumps; signs; OBSTRUCTION OF VIEW	
Site Plan Control	P.A. 35a	The Ministry of Housing pamphlet "Guidelines For Development Control (Site Plan Control): Section 35a" is available from the Ontario Government Bookstore.
Site plan agreement	see AGREEMENTS; P.A. 35a(6)(c)	
SITE PLANNING	Canada Mortgage and Housing Corporation	C.M.H.C.'s "Site Planning Criteria" contains requirements applied in the review of applications submitted under The National Housing Act, as well as recommended standards designed to contribute to good project design. It includes criteria and standards relating to such matters as housing location relative to other uses, amenity areas and privacy zones for multiple housing, planting and public open space, parking area design, etc.
	see also BUILDING CODE - Ontario Building Code, Part 9	
SLAUGHTERHOUSES	Municipal Act 354(1)85	Council may prohibit or regulate and inspect slaughter-houses.
	see also PUBLIC HEALTH - SCHEDULE B; RENDERING PLANT	
Snowmobile	see MOTORIZED SNOW VEHICLES	
Snowplowing - private road	see PRIVATE ROAD - snowplowing	
Soil stripping	see TOPSOIL REMOVAL	
Solar access	see ACCESS TO LIGHT AND AIR	
Solid waste	see LANDFILL	
Special Care Homes	see HEALTH AND SOCIAL SERVICE INSTITUTIONS - home for special care	
SPILL	Environmental Protection Act	Part VII-A of the Act deals with the abnormal discharge of a pollutant into the natural environment and with the prevention, clean-up and restoration of the natural environment. It also deals with liability for loss or damage arising out of a spill and with liability for the costs and expense of prevention, clean-up and restoration.
Stables	see GARAGES	
STATUTE LABOUR	Statute Labour Act 3,4 (Transportation and Communications and Intergovernmental Affairs)	Applies in every township that has not passed a by-law abolishing statute labour. Every person on the assessment roll is liable to days of statute labour in proportion to his assessment. It may be commuted at not more than \$3 per day. In unincorporated areas, road commissioners may be elected for statute labour purposes and to open roads.
Stock-car racing	see MOTOR VEHICLE RACING	
Stop order	see CONTROL ORDER	
Strata plan	see CONDOMINIUM	

Subject	Reference	Description and Notes
STRATEGIC LAND USE PLAN		A series of plans being prepared by the Ministry of Natural Resources stating in very broad terms how the Ministry wishes to use or influence the use of Crown land to meet its objectives.
Street	see LOCAL IMPROVEMENT ACT; HIGHWAY; ROADS...	
Street lighting	see HYDRO-ELECTRIC POWER; LOCAL IMPROVE- MENTS	
STRENGTHENING EXISTING BUILDINGS	Municipal Act 363(2)	Urban councils may pass by-laws requiring structural changes in buildings being used for purposes for which they are deemed unsuited by an architect or other officer named in the by-law. The use of such buildings may be prohibited until a permit has been obtained.
Student housing	see HOUSING	
Subdivision agreement	P.A. 33(5)(d) and 33(6)	A model subdivision agreement for a small municipality has been prepared by the Local Planning Policy Branch of the Ministry of Housing in 1979.
Subdivision control	P.A. 29	
SUBDIVISION PLAN	Surveys Act (53) (Natural Resources)	In this Act, a "plan of subdivision" means a plan of subdivision that is registered under The Land Titles Act or under The Registry Act.
	see also P.A. 33; PUBLIC LANDS - subdivision; REGISTERED PLAN	
SUBDIVISION PLAN AREA	Registry Act 91 (Consumer & Commercial Relations)	The Director of Land Registration may issue a "Restraining Order" designating any area of land as a "subdivision area" and thereupon no land may be conveyed except in compliance with subsection 2 of Section 29 of The Planning Act.
- restraining order	Land Titles Act 162	A similar provision to the above appears in The Land Titles Act but it calls for the preparation of a Judge's Plan. The section has not been used for some years, however. Problems with inadequate boundary descriptions are now handled under The Boundaries Act.
	see also JUDGE'S PLAN	
SUBDIVISION ROAD SUBSIDY	Public Transportation & Highway Improvement Act 72, 80	In general, the construction of new roads in subdivisions is not subsidized, since the developer normally builds these roads. However, in exceptional circumstances, a road may be designated as a main traffic artery and the municipality's expenditure may be eligible for subsidy.
Subsidiary planning area	P.A. 2(4)	
Suburban road	see HIGHWAY -	
Suburban subdivision road rate	see HIGHWAY - township road	
Summer camp	see Public Health - camps	
SWIMMING POOLS - fences	Municipal Act 354(1)24	Council may pass a by-law to require fencing of private outdoor swimming pools.
- zoning	Planning Act 35	A pool is a structure and is regulated as such in several municipal zoning by-laws.
- public pools	Public Health Act 6	The Minister may make regulations regarding location, maintenance, use, etc.

T

Subject

Reference

Description and Notes

Tannery	see INDUSTRIAL NUISANCE	
Tax arrears	see LANDS IN TAX ARREARS	
Taxation	see ASSESSMENT; PROVINCIAL LAND TAX	
TELEPHONE	Telephone Act (Transportation and Communications)	This Act applies to municipal subscriber-owned systems, public utility telephone systems and privately-owned industrial telephone companies, other than Bell Telephone.
Termites	see BUILDING BY-LAWS	
Territorial division	see BOUNDARIES	
Tertiary road	see HIGHWAY -	
Tile Drainage	see DRAINAGE	
Timber	see Trees	
TOP SOIL REMOVAL	Topsoil Preservation Act, 1977 (Agriculture and Food)	1(b) "Topsoil" means that horizon in a soil profile, known as the "A" horizon, containing organic material. 2 Councils of municipalities may pass by-laws regulating or prohibiting the removal of topsoil, and providing for the issuance of permits and requiring rehabilitation of lands from which topsoil has been removed. These by-laws do not apply to agricultural operations, sod farming, or the removal of topsoil incidental to activities authorized under The Pits and Quarries Act, The Mining Act, etc. and they may not be used to inhibit construction of development specifically permitted under The Planning Act, The Parkway Belt Planning and Development Act or The Niagara Escarpment Planning and Development Act.
TOURIST ESTABLISHMENTS	Tourism Act (Industry & Tourism)	1 "Tourist establishment" means any premises operated to provide sleeping accommodation for the travelling public or sleeping accommodation for the use of the public engaging in recreational activities, and includes the services and facilities in connection with which sleeping accommodation is provided, but does not include:- i. a camp operated by a charitable corporation approved under The Charitable Institutions Act, or ii. a summer camp within the meaning of the regulations made under The Public Health Act, or iii. a club owned by its members and operated without profit or gain. 6 No tourist establishment may be constructed or altered without a permit which must conform with the regulations. An annual licence is also required for all establishments. 8 No sign may be displayed which does not comply with the regulations. 13 The Minister may make regulations regarding...the content of signs respecting tourist facilities, governing the plans and specifications of tourist establishments, etc.
- signs		
- tourist camps	see TRAILER AND TOURIST CAMPS AND MOTELS	
Townsend community	see ONTARIO LAND CORPORATION	
Township road	see HIGHWAY -	
TRAFFIC	Municipal Act 354(1)107 Highway Traffic Act	Council may prohibit heavy traffic as defined in the by-law. 135 A by-law for regulating traffic must be approved by the Ministry. 64-81 Heavy vehicles may be caused to obtain a permit to use certain roads.
TRAILERS (Mobile homes)	Education Act	220 "Trailer" and "Trailer Camp" or "Trailer park" are defined but the definition includes a vehicle more properly called a "mobile home" (See MOBILE HOME herein). A municipality which collects licence fees from "trailers" must pay a proportion of those fees to the school boards, in the same proportion as school taxes
- school fees		

Subject	Reference	Description and Notes
TRAILERS (Cont'd)		
- school fees (cont'd)		bear to total taxes. This does not apply to municipally operated "trailer camps".
		221 In unorganized territory, a fee of \$5 per month is payable by a trailer occupant to the local public or separate school board, except in July and August and \$2 per month is payable to the secondary school board. No fee is payable if the "trailer" is assessed under The Assessment Act.
TRAILER AND TOURIST CAMPS AND MOTELS	Municipal Act 383(15)	Council may regulate and license tourist camps, trailer camps and motels. Minimum trailer lot sizes may be prescribed. Licence fees not exceeding \$20 per month per lot may be charged, unless the lot is occupied temporarily by people whose normal place of residence is elsewhere, or unless the trailer is assessed.
	Municipal Act 354(1)	A trailer is defined as any vehicle so constructed that it is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle, and capable of being used for the living, sleeping or eating accommodation of persons, notwithstanding that such vehicle is jacked-up or that its running gear is removed.
- licences		Trailers may be licensed for a fee not exceeding \$20 per month, provided they are not assessed under The Assessment Act.
- municipal trailer camps		88 Municipal trailer camps may be established, fees may be charged and the corporation must reimburse the school boards for each pupil residing in a trailer.
TRAILERS (Tow trailers)	Highway Traffic Act 1(1)34	Note that this definition includes a boat trailer, ski-doo trailer, u-haul, etc. but NOT a mobile home. "Trailer" means a vehicle that is at any time drawn upon a highway by a motor vehicle, except an implement of husbandry, a mobile home, another motor vehicle or any device or apparatus not designed to transport persons or property, temporarily drawn, propelled or moved upon such highway, and except a side car attached to a motorcycle, and shall be considered a separate vehicle and not part of the motor vehicle by which it is drawn.
TRANSIENT ACCOMMODATION	Retail Sales Tax Act (Revenue)	"Transient accommodation" means the provision of lodging in hotels, motels, hostels, apartment houses, lodging houses, boarding houses, clubs and other similar accommodation, whether or not a membership is required for the lodging, but does not include lodging let for a continuous period of one month or more or lodging in a lodging house, rooming house, or boarding house, if such house has accommodation for fewer than four tenants.
TRANSMISSION LINE	Ontario Energy Board Act 1(21) (Energy)	1(21) "Transmission line" means a pipe line, other than a production line, a distribution line, a pipeline within an oil refinery, oil or petroleum storage depot, chemical processing plant, or pipeline terminal or station.
TRANSMISSION POLES, WIRES	Municipal Act 354(1) 98 and 101 see also HYDRO-ELECTRIC POWER	Council may regulate the erection and maintenance of poles, wires, cables, etc. on highways and public places. This does not, however, confer a power of taxation. (See Coaxial Colourview Ltd. et al vs Borough of Scarborough, 1974).
Transportation	see PUBLIC TRANSPORTATION; RAPID TRANSIT; COMMUTER SERVICES	
TREES	Forestry Act (Natural Resources) Public Transportation & Highway Improvement Act	Provides for furnishing trees to individuals and municipalities and agreements for the Crown to manage forest lands. (Agreement forest). 27 The Ministry may plant trees upon the King's Highway and charge the cost to maintenance. No person may destroy or injure any tree within the limits of a highway, except with the Ministry's consent. The Ministry may subsidize tree planting adjoining a highway.
- obstructions		31(2)b No person may place a tree or shrub within 45 metres of a King's Highway or 180 metres of an intersection except under permit from the Minister. 98 A municipality or suburban roads commission may plant trees on its roads and charge the cost to maintenance.

Subject

Reference

Description and Notes

TREES (Cont'd)

Municipal Act 457		Council may authorize the planting of trees on highways and subsidize such planting by individuals.
Conservation Authorities Act (Natural Resources)	20(p)	A Conservation Authority is empowered to plant and produce trees on Crown or other lands.
Trees Act (Natural Resources)		The general purpose of this Act is to prevent the destruction of trees in the agricultural areas of Ontario.
	2	Trees planted on a lot boundary are common property of adjoining owners.
	4	County council or council of a separated municipality may regulate and restrict the cutting of trees, with the Minister's written approval.
	5	A number of exceptions are cited to the application of section 4. One of these is that it does not affect the destruction of trees in order to erect a building for which a building permit has been issued.
	7-12	Councils may acquire and maintain land for forestry purposes and may encourage reforestation on private property by granting exemption from general taxation and by planting and fencing at municipal expense.
Crown Timber Act (Natural Resources)		This Act deals with the sale of Crown timber, the issuance of licences to cut Crown timber, the requirements for forest management plans, operating plans, annual plans and inventories, the licensing of mills, etc.
		"Urban Tree and Forest Legislation in Ontario" is a comprehensive work published in 1978 by the Great Lakes Forest Research Centre, Department of the Environment, Box 490, Sault Ste. Marie, Ontario P6A 5M7.
see also PUBLIC LANDS -; LOCAL IMPROVEMENTS; OBSTRUCTION OF VIEW; WOODLANDS; P.A. 35a(6)(a)6		

Subject	Reference	Description and Notes
underground wiring	see HYDRO-ELECTRIC POWER -; TRANSMISSION POLES, WIRES	
UNORGANIZED TERRITORY	Public Hospital Act 1(s)	In this Act "unorganized territory" means those parts of Ontario that are without municipal organization, including Indian reservations and provincial parks, but not including property of the Government of Canada used for the purposes of national defence installations, used camps or stations.
	Municipal Act 1.26	"Unorganized territory" means that part of Ontario without county organization. For most purposes, unorganized territory simply means lands without municipal organization.
roads	Public Transportation and Highway Improvement Act 86 Municipal Act 464	The Minister may arrange with a local roads board or with road commissioners or a landowner to construct and maintain a road in unorganized territory. 1 Road allowances in unorganized territory are Crown Land. The Lieutenant Governor in Council (i.e. Cabinet) may close, alter, divert, sell or lease them.
assessment	Provincial Land Tax Act (Natural Resources)	This Act deals with the assessment and taxation of all land situated in territory without municipal organization.
exempt lands		3 Categories of exempt lands are described (similar to exempt properties under the Assessment Act).
assessed value		4 The assessed value of land for the purposes of the Act is the price that it might be expected to bring if offered for sale on the open market by a person who is solvent.
Provincial Land Tax Register		6 Assessment information on unorganized territory is kept in the Provincial Land Tax Register.
building permit		The requirement for a permit under the Building Code Act does not apply in unorganized territory.
	see also PUBLIC HEALTH -; LOCAL ROADS BOARD; P.A. 18 & 23; PUBLIC LAND - restricted area: SCHOOLS -; COMMUNITY CENTRE -	
UNSAFE BUILDINGS	see BUILDING CODE - abandoned buildings	
Urban design	see IMPROVEMENT AREAS FOR BEAUTIFICATION OF SHOPPING AREAS	
Urban drainage	see DRAINAGE -	
URBAN RENEWAL	National Housing Act Part III	22 "Urban renewal area" means a blighted or substandard area of a municipality for which the government of the province in which the area is located has approved the implementation of an urban renewal scheme.
- area		"Urban renewal scheme" means a scheme for the renewal of a blighted or substandard area of a municipality that includes:
- scheme		(a) a plan designating the buildings and works in the area that are to be acquired and cleared by the municipality in connection with the scheme and for making available to persons dispossessed of housing accommodation by such acquisition or clearance, decent, safe and sanitary housing accommodation at rentals that, in the opinion of the Corporation, are fair and reasonable having regard to the incomes of the persons to be dispossessed, (b) a plan describing the proposed street pattern and land used for the area, and the program for the construction or improvement in the area of municipal services, schools, parks, playgrounds, community buildings and other public facilities, (c) a description of the methods planned for municipal direction and control of the use of land in the area, including zoning building controls and standards of occupancy of buildings in the area, (d) a description of the methods planned for the improvement, rehabilitation or replacement of privately owned facilities including housing accommodation, that will continue in the area, and the techniques planned for retarding such facilities from becoming substandard, and

Subject

Reference

Description and Notes

URBAN RENEWAL
(Cont'd)

- cost sharing

(e) the estimated costs of the scheme, and that will be developed in accordance or in harmony with an official community plan.

23 C.M.H.C. may enter into an agreement with a province or municipality to pay one half the cost of preparing an urban renewal scheme.

24,25 C.M.H.C. may enter into an agreement to pay one half the cost of implementing an urban renewal scheme, and may in addition make a loan for up to two-thirds of the remaining actual cost of implementation.

25.1 Federal urban renewal funding has been cut off for all projects except those underway prior to February 1, 1973.

see also P.A. 22-28;
Maintenance and occupancy
standards; COMMUNITY
IMPROVEMENT

URBAN SERVICE AREA

Municipal Act 14(12)

The O.M.B. may define urban services and cost or urban services and may establish urban service areas in a municipality enlarged by annexation or amalgamation. The Board may determine how the cost of providing urban services is to be distributed on lands in the municipality.

Urban transit
service area

see PUBLIC TRANSPORTATION

Utilities

see PUBLIC UTILITIES

UTILITY LINE

Ontario Energy Board
Act 1(23)
(Energy)

"Utility line" means a pipeline, a telephone, telegraph, electric power or water line, or any other line that supplies a service or commodity to the public.

Subject

Reference

Description and Notes

VALIDATION OF LOTS

P.A. 29

A pamphlet entitled "Validation Guidelines" has been produced by the Ministry of Housing. It pertains to lots created in contravention of The Planning Act prior to March 19, 1976.

VEHICLE

Highway Traffic
Act 1(1)35

"Vehicle" includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a motorized snow vehicle or the cars or electric or steam railways running only upon rails.

Veterans' Housing

see HOUSING

VETERANS' LAND

Veterans' Land Act
(Federal - Veterans'
Affairs)

Designed to assist war veterans to settle as full or part-time farmers or as commercial fishermen, this Act provides financial assistance to qualified veterans. The minimum lot area quoted in the Veterans' Land Regulations is one half acre, which may in some cases be reduced by 20%.

Visual pollution

see AESTHETICS

Vocational Schools

see SCHOOLS -

Subject

Reference

Description and Notes

Walkways	P.A. 35a(6)(a)4; see also BICYCLE AND FOOTPATHS	
Waste disposal sites	see WASTE MANAGEMENT	
WASTE MANAGEMENT	Environmental Protection Act 28-48	28 "Waste" includes ashes, garbage, refuse, domestic waste, industrial waste, municipal refuse, etc.
- certificate of approval		30-31 No waste management system or waste disposal site may be established or enlarged without a certificate of approval.
		32 No money may be spent by any municipality for waste disposal without a certificate of approval.
		33 The Minister may tell a municipality to institute a waste collection or management system.
		33a-33b Where a waste disposal site application involves considerable industrial waste, a public hearing must be held by the Ministry unless the situation is deemed an emergency.
		34 No certificate of approval may be issued unless the applicant deposits sufficient funds to ensure satisfactory maintenance of the site or system. Municipal waste disposal sites and systems may also be subject to public hearings.
		40 No waste may be deposited except on a waste disposal site.
- waste disposal wells		46a Reference is also made to waste disposal wells and to compensation for pollution through such wells.
		48 Approval for disposal of waste or mineral water in an underground formation under The Petroleum Resources Act is deemed a certificate of approval.
- types of waste	Regulation 824 (E.P.A.) as amended	2,3 The following types of waste are defined: agricultural wastes, derelict motor vehicles, hauled liquid industrial waste, hauled sewage hazardous waste, incinerator waste, inert fill and processed organic waste.
- waste disposal sites		4 The following types of waste disposal sites are listed and described: composting sites, derelict motor vehicle sites, dumps, grinding sites, incineration sites, landfilling sites, on-site incinerators, on-site garbage grinders, organic soil conditioning sites, packing and baling sites and transfer stations.
- waste management systems		6 The following waste management systems are classified: municipal waste management systems, private waste management systems, individual collection systems, hauled liquid and hazardous waste collection systems, marine craft waste disposal systems and organic waste management systems.
- standards		10-14 Standards are prescribed for land-filling sites, incineration sites, dumps, organic soil conditioning sites, derelict motor vehicle sites and waste management systems.
- area rate	Municipal Act 354(1)	76-78 Council may establish a system of garbage collection and disposal, with the approval of the Ministry of Health, and may acquire land for a disposal site in another municipality, by agreement or else with O.M.B. approval, and may levy a special rate for garbage disposal purposes.
- garbage dumps		116 Council may prohibit or regulate and inspect garbage dumps or waste disposal areas of any kind. (This authority is not abrogated by the Environmental Protection Act, see Raes vs Township of Plympton, 1971).
WATER CANALS IN SUBDIVISIONS	Municipal Act 360	Council may accept conveyance of lands in registered plans of subdivision for water canals and may maintain these canals. The cost of maintenance may be apportioned on surrounding property. The use of the canals may be regulated and boat speed limits may be set. Abutting owners may be permitted to construct docks or slips and may be charged an annual fee.
Water control	see CONSERVATION; DRAINAGE; PUBLIC LANDS	
Water management	see CONSERVATION (NATURAL ENVIRONMENT)	

Subject	Reference	Description and Notes
Water pollution	see WATER QUALITY	
Water privilege	see LAKES AND RIVERS -	
WATER QUALITY	Ontario Water Resources Act 30-34 (Environment)	The quality of water may be deemed to be impaired if any material discharged in it may cause injury to any living thing (30). The Minister of the Environment supervises all surface and ground waters. If the quality of a water body is being impaired the Minister may apply for an injunction to prohibit the discharge (31). Pollution of a water body is punishable by a fine of up to \$5,000 for a first offence (32). The discharge of any sewage into any water body may be prohibited or regulated (33), and the Ministry may order that necessary equipment be used to alleviate pollution.
	see also SPILL	
Water pollution of fish	Fisheries Act 33, 34 (Environment Canada)	The Minister has authority to review the plans for any works that could result in the deposit of deleterious substances in water frequented by fish.
Water pollution from vessels	Canada Shipping Act (Transport Canada)	This Act and its regulations provide for the control of pollution from vessels, as determined to be necessary to fulfill Annexes 4 and 5 of the Great Lakes Water Quality Agreement.
	Environmental Contaminants Act (Environment Canada)	This Act is intended to permit regulation of any substance suspected to constitute a danger to human health or the environment. Regulations have not yet been proclaimed but some are being developed for polychlorinated biphenols (PCB's).
	Canada Water Act (Environment Canada)	Designed to permit research, planning and implementation programs for the conservation, development and use of Canadian water resources through formal agreements with the provinces, this Act has to date only introduced a regulation controlling the phosphorus content in detergents.
	see also PUBLIC HEALTH; LAKES AND RIVERS	
Water resources	see WATER QUALITY; WATERWORKS	
WATER SUPPLY	Ontario Water Resources Act 36, 37	An area may be defined that includes a source of public water supply and no person may swim in it, impair its quality or diminish the amount available. All large water users (over 50,000 litres per day) must obtain a permit from the Ministry. This does not apply to farm or domestic purposes.
	see also WELLS; PUBLIC UTILITIES	
Waterways	see NAVIGABLE WATERS; LAKES AND RIVERS; PROVINCIAL PARKS - classification	
WATERWORKS	Ontario Water Resources Act	41 No waterworks may be started or enlarged without the prior approval of the Ministry. 51 Waterworks are required to be maintained to the Ministry's satisfaction.
Water projects		52-53 A municipality may apply to the Minister to have him (her) provide and operate its waterworks as a project.
Water rate		54 Subject to O.M.B. approval, a waterworks rate and a water service rate may be imposed.
Water service area		61 A public water service area may be designated by the Ministry and conditions may be imposed by order to regulate, control, prohibit or provide water service.
Water loans, grants	National Housing Act (C.M.H.C.)	50 C.M.H.C. may make loans to any province or municipality for the construction or expansion of water supply systems, in order to encourage comprehensive land use and residential development in previously undeveloped areas. (Maximum 2/3 of the cost). Alternatively, a grant may be made, not exceeding 25% of the amount of the loan which could have been made.
Water regional plan		52 C.M.H.C. may subsidize up to 50% of the cost of preparing a comprehensive regional water supply plan.
	see also PUBLIC UTILITIES; PUBLIC HEALTH; COMMUNITY IMPROVEMENT	

Subject

Reference

Description and Notes

Wayside pits	see PITS AND QUARRIES	
WEED CONTROL	Weed Control Act (Agriculture and Food)	6 Every county and regional municipality must appoint an area weed inspector. Other municipalities may appoint a municipal weed inspector.
- entry on private property		10 An inspector may enter at any time between sunrise and sunset upon any land and building other than a dwelling house.
		11 An inspector may order the destruction of noxious weeds and the owner must comply. Provision is made for appeal procedures.
		13 If the owner fails to comply, the inspector may destroy the weeds and charge the owner on his tax bill.
- subdivided areas		14 A municipality may direct its inspector to destroy the weeds on any subdivided property and may recover the cost from the owners in the same manner as taxes.
		19 Sections 11 and 14 do not apply to lands so far distant from any agricultural or horticultural use that the weeds would have no material effect on those uses.
		21 Provision is made for provincial regulations and subsidies.
WELLS	Ontario Water Resources Act 37, 39, 40	Leaking wells may be regulated by the Ministry. A permit is required to bore a well. Well drillers must be licensed. (Regulation 64B, O.W.R.C. Act).
WILDERNESS AREAS	Wilderness Areas Act (Natural Resources)	2 Cabinet may set aside wilderness areas, which are under control of the Minister.
		3 Nothing in this Act limits the utilization of the natural resources in a wilderness area of more than 260 hectares.
		7,8 Regulations may be made for any wilderness area. Contraventions are subject to fines of up to \$500.
	see also PROVINCIAL PARK - classification	
Wiring	P.A. 38(1)17; see also HYDRO-ELECTRIC POWER - underground wiring	
WOODLANDS	Woodlands Improvement Act (Natural Resources)	1 "Woodlands" means lands having at least 1,000 trees per hectare of all sizes or at least 750 trees per hectare over 5 cm in diameter or at least 500 trees per hectare over 12.5 cm in diameter or at least 250 trees per hectare, measuring over 20 cm in diameter, but does not include a plantation established for the purpose of producing Christmas trees.
		2 The Minister may enter into agreements with owners of suitable lands in a private forest management area for the planting of nursery stock and improvement of woodlands.
		3 Cabinet may make regulations designating parts of Ontario as private forest management areas.
Wrecking yards	see JUNK YARDS	

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Zoning around airports	see AIRPORT ZONING	
Zoning by-law	RESTRICTED AREA BY-LAW; P.A. 35	
Zoning in annexed areas	see ANNEXATION AND AMALGAMATION - zoning	
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Ministry of
Municipal Affairs
and Housing
Ontario

1983

a planner's reference

*to: legislation
provincial policies
and guidelines*

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Ontario

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Municipal Affairs
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Hon. Claude F. Bennett
Minister

1983

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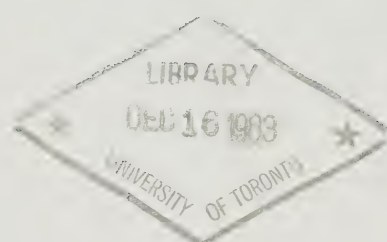
Foreword to third edition

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As before, comments from users on changes or improvements which should be made in future editions of this document will be gratefully received and should be addressed to:

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October, 1983



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Caution

This reference manual is intended to assist you in finding legislation pertinent to various planning topics. It should not be used as a substitute for the legislation itself; neither should the comments be quoted as being necessarily expressions of government policy or interpretations with official status.

A planner's reference to legislation in Ontario

Purpose

It is assumed that anyone active in planning in Ontario would have a copy of the Planning Act to hand and would be reasonably familiar with it. However, many planning and development matters are affected by statutes other than the Planning Act and this document is intended to assist a planner in finding relevant information or in refreshing his memory as to its general content. It is not intended to give a comprehensive, detailed record of each of the pertinent items of legislation; reference should be made to the statutes for that purpose. Any planner dealing in depth with a topic would obviously be expected to use the source documents for information. This reference work is intended primarily for the generalist who may be called upon to respond to a variety of municipal planning or related problems and yet lacks either wide and varied experience or a photographic memory, or both.

Content

Urban and regional planners get involved in a great variety of topics and this document includes references to a correspondingly wide spectrum of legislative provisions. Some of them may appear quite esoteric but are included because, in some way, they may be relevant to the control of some feature of our environment in the broad sense.

The bulk of the references are to the Ontario statutes but relevant federal statutes are also included. In addition, where a government policy has been formulated or where a government agency has produced guidelines or particularly useful explanatory material on a referenced topic, this information is noted.

PUBLICATIONS

Enquiries regarding the availability of referenced publications should be directed to the responsible ministry unless it is specifically stated that they are available from the Ontario Government Bookstore.

How to use the planner's reference

The material is gathered in alphabetical order by topic but some items may appear as sub-topics (in lower case) of a main entry (in capitals).

E.G. "Low rental housing" is a sub-heading under "HOUSING". A cross-reference appears under "L", both in the index and the main body of the text:

Low rental housing

see HOUSING -

The dash after HOUSING indicates that the title in the left-hand column appears as a sub-heading of HOUSING.

If the cross-reference in the index starts with the words "see also", the user should first seek the item listed in the left-hand column and, in addition, should refer to the "see also" item.

This reference work was designed to serve people already familiar with the Planning Act. It was nevertheless found convenient to include index reference to this Act, which appears abbreviated as P.A.

The abbreviated name of the ministry responsible for administering the legislation referred to is sometimes shown in brackets after the name of the Act. It is omitted, however, where that information is considered obvious or repetitious. (The Planning Act, the Ontario Planning and Development Act and the Municipal Act are administered by the Ministry of Municipal Affairs and Housing.)

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Subject	Reference	Description and Notes
Abandoned Buildings	see BUILDING CODE	
ABANDONED MOTOR VEHICLES	Environmental Protection Act, 48-61	An abandoned vehicle may be removed by a police officer or a designated provincial officer to an abandoned motor vehicle site. The owner must be notified that he has thirty days to claim the vehicle. If he does not receive notice, the owner may claim compensation.
	48(a)	"Abandoned motor vehicle" means a vehicle that has been left unattended without lawful authority and that appears to an officer, by reason of its age, appearance, mechanical condition or lack of licence plates, to be abandoned.
	1.7a	"Derelict motor vehicle" is defined as a motor vehicle that, <ul style="list-style-type: none"> i. is inoperable; and ii. has no market value as a means of transportation or, has a market value as a means of transportation that is less than the cost of repairs required to put it into operable condition. <p>Approval of derelict motor vehicle sites has been delegated by the Ministry of the Environment to the municipalities. A model by-law has been prepared by the Waste Management Branch of the ministry.</p> <p>If an orchard has been designated by the Provincial Entomologist as a neglected orchard, or if no fruit has been produced on it for sale for two consecutive growing seasons, an orchard may be termed to be an "abandoned orchard" and the owner is then obliged to destroy all fruit trees in it.</p> <p>This Act only applies to orchards located within 275 metres of a commercial orchard.</p>
ABANDONED ORCHARD	Abandoned Orchards Act (Agriculture and Food)	
Abattoirs	see SLAUGHTERHOUSES	
Access road	see MOTOR VEHICLE ACCESS TO PROPERTY; FIRE MATTERS - access route; PROVINCIAL PARK -	
ACCESS TO LIGHT AND AIR	Limitations Act 33 (Attorney General)	Generally speaking, a landowner is only entitled to light and air from the vertical column of space above his own property. Rights over neighbouring property may be acquired by agreement in writing.
		A legal discussion on this subject is contained in "Perspectives on Access to Sunlight" published by the Ontario Ministry of Energy in 1980.
Access to private property	see ENTRY ON PRIVATE PROPERTY; HYDRO-ELECTRIC POWER; PUBLIC WORKS; PUBLIC HEALTH; MOTOR VEHICLE ACCESS TO PROPERTY; HIGHWAY - access to property	
Action to restrain contravention of by-law	see ENFORCEMENT OF BY-LAWS	
ADULT ENTERTAINMENT	Municipal Act 222 see also BODY RUB PARLOURS	"Adult entertainment parlour" is defined. Council may pass a by-law to define the areas in which adult entertainment parlours may be located and may limit their number and regulate their hours of operation.
Aesthetics	see SIGNS; BUSINESS IMPROVEMENT AREAS...; P.A. 40; LAKES AND RIVERS -	
Aged	see ELDERLY PERSONS CENTRE; HEALTH AND SOCIAL SERVICE INSTITUTIONS - home for the aged, - nursing home; HOUSING - elderly persons	
Aggregates	see PITS AND QUARRIES	
Agreement forest	see TREES	
AGREEMENTS	Municipal Act 200, 325	
	see also IMPOSTS; P.A. 49(21), 50(6), 40(7)(c) (Developer's Agreement);	A municipal corporation has a right to enforce a contract or agreement. Council may pass a by-law to ensure that in case of default, the municipality may do the work and recover the cost through taxes.
	subdivision agreement	
	CONDOMINIUM - maintenance agreement; P.A. 40(7)(c)	
Agricultural Code of Practice	see AGRICULTURAL POLLUTION	

Subject

Reference

Description and Notes

Agricultural Development	P.A. 49(11) re A.R.D.A.	
AGRICULTURAL HOLDING	1981 census definition	An agricultural holding is defined as a farm, ranch or other agricultural holding with sales of agricultural products in the year 1980 of \$250 or more.
- foreign ownership	Non-resident Agricultural Land Interests Registration Act (Agriculture and Food) Land Transfer Tax Act (Revenue)	Foreigners owning an interest in ten hectares or more of agricultural land must file a registration report. They are then liable to pay a land transfer tax. In order to plug a previously existing loop-hole, this Act now deems that a taxable disposition of land occurs when a corporation owning agricultural land in Ontario becomes non-resident. This prevents a non-resident from avoiding the 20% tax by purchasing shares in a company owning Ontario agricultural land.
AGRICULTURAL LAND	see also PUBLIC LANDS - public agricultural land committee	The Food Land Guidelines (1978) are a statement of provincial government policy. They are included to assist local municipalities, counties or regions in planning for agriculture in the preparation of official plans or amendments which may affect rural lands.
AGRICULTURAL POLLUTION		Refer to the Agricultural Code of Practice prepared jointly by the Ministry of Agriculture and Food, the Ministry of the Environment and the Ministry of Municipal Affairs and Housing (1976). It applies to livestock and poultry farms and includes minimum land areas for manure utilization, separation distances from dwellings, guidelines for regulating encroachment on established farms, methods to control water pollution, advice on the disposal of dead animals, etc.
AGRICULTURAL WASTE	Environmental Protection Act, Regulation 309	1.3 "Agricultural waste" means waste, other than sewage, resulting from farm operations, including animal husbandry and where a farm operation is carried on in respect to food packing, food preserving, animal slaughtering or meat packing, includes the waste from such operations.
AIR POLLUTION	Environmental Protection Act, 136 and 20-22 Clean Air Act (Environment-Federal)	The Lt. Gov. in Council may make regulations relating to all manner of pollution. A compilation of existing regulations and guidelines was published by the Air Pollution Control Directorate in April 1981 Report: EPS 1-AP-81-1. 4. The Minister may formulate national air quality objectives, which may be adopted by the provinces. 7. The Federal government may prescribe national emission standards for sources of air contaminants and may prosecute operators in contravention of the standards. This applies only to emissions constituting a significant health hazard or to emissions likely to result in the violation of an international obligation. To date, the only regulations to have been published are those affecting secondary lead processing plants. Regulations are pending for asbestos emissions from mining and milling, mercury from chlor-alkali plants, vinyl chloride from vinyl chloride and polyvinyl-chloride manufacture and arsenic from a variety of smelting processes. 8. The Minister may publish air pollution guidelines for industrial operations. Published guidelines to date relate to cement plants, asphalt plants, coke ovens, arctic mining, packaged incinerators, wood pulping plants acid and thermal power generating stations.
Air space over highways	see HIGHWAY - use of space over	
AIRCRAFT NOISE		Refer to "New Housing and Airport Noise" a supplement to C.M.H.C.'s "Site Planning Criteria", and to the Ministry of Housing's "Land Use Policy Near Airports" (March 1978).
AIRPORT	Airports Act 1-4 (Transportation and Communications) Municipal Act 208(10)	The provincial government may enter into agreements with a municipality, an individual and the federal government for the establishment or enlargement of an airport. The Minister may acquire, establish, operate and maintain airports; he may provide funds to a municipality or an individual for such purposes. A municipality may establish and operate an aerodrome within its boundaries or in adjoining territory.
AIRPORT ZONING	Aeronautics Act (Transport-Federal)	In the vicinity of an airport, the Minister of Transport may regulate the height of buildings through a zoning plan, registered on title. Persons injuriously affected may recover compensation. Light, smoke and noise which could interfere with airport operations may also be prohibited. Planning guidelines for the use of land outside the airport property boundary are published by the Canadian Air Transportation Administration.

Subject	Reference	Description and Notes
ANIMALS	Municipal Act 210(1-6)	Council may prohibit or regulate the keeping of any class of animals or limit the number of animals kept in any defined area. ("Animal" includes birds and reptiles.) Establishments for the boarding or breeding of animals may be regulated.
	see also RENDERING PLANT, SLAUGHTERHOUSE	
ANNEXATION AND AMALGAMATION	Municipal Act	14(2) Upon an application by a council, by the Minister, or by twenty-five inhabitants of an area, the Municipal Board may order the amalgamation of municipalities or the annexation of all or part of certain municipalities or areas to a municipality or from them to another municipality.
- notice, hearing		(4) The Municipal Board, before making an order with regard to subsection 2, is required to give proper notice and hold a public hearing in order to inquire into the merits of the application and in order to hear any objections to it.
- official plan		(6) The by-law of a municipality, which authorizes an application for amalgamation or annexation under the provisions of this section, may not be invalidated on the ground that it conflicts with the official plan.
- zoning		18 Zoning by-laws in annexed areas remain in force until repealed by the annexing municipality.
	Municipal Boundary Negotiations Act (Intergov't. Affairs)	This Act provides a method by which municipalities may, by agreement, resolve annexation or amalgamation problems or resolve intermunicipal problems arising in respect of boundary-related issues.
	see also BOUNDARIES; URBAN SERVICES AREAS	Upon application, the Minister appoints a fact-finder. If the fact-finder's report indicates agreement, the Minister may introduce legislation to implement the agreement. Otherwise, a negotiating committee may be formed.
	Barrie - Innisfil Annexation Act, 1981	This Act implements a negotiated annexation. The City may not apply for further annexation within 30 years, except for certain lands, which may be applied for within 15 years.
Appeals	see PUBLIC PARTICIPATION - appeals	
Archaeological preservation	see CONSERVATION (CULTURAL)	
Architectural preservation	see CONSERVATION (CULTURAL)	
AREA RATE		
- police	Police Act 22	Police costs may be met by levying rates that are different between areas defined by a township council or by levying rates in one or more of such areas only.
	see also BOUNDARIES; DRAINAGE -; IMPOSTS; LOCAL IMPROVEMENTS; PUBLIC TRANSPORTATION -; PUBLIC UTILITIES -; RECREATION -; SEWERAGE -; WASTE MANAGEMENT -; WATERWORKS -; HYDRO-ELECTRIC POWER; BUSINESS IMPROVEMENT AREA; PARKING LOTS; TELEPHONE	
ASSESSMENT	Assessment Act (Revenue)	3 The following types of property are exempt from taxation: Federally or provincially owned land, Indian lands, churches, cemeteries, public or separate school buildings and grounds, universities, seminaries, public hospitals, charitable institutions, industrial farms, scouts and guides property, municipal property, public libraries, horticultural societies, exhibition buildings
- property exempt from taxation		4 Council may also by by-law exempt land owned by religious institutions and used for recreation.
- business assessment		7 In addition to land assessment, a sum computed as a percentage of the land assessment is charged as business assessment.
- market value		18 "Market value" is the amount that land might be expected to realize if sold in the open market by a willing seller to a willing buyer.
- areas exempt from taxation		20 Council may annually pass a by-law declaring which farming areas, if any, of the municipality are exempt or partly exempt from taxation for expenditures incurred for waterworks, fire protection, garbage collection, sidewalks, pavements, sewers, street lights and street maintenance.
- golf course		22 A golf course may be granted fixed assessment. (Not applicable to buildings, and does not apply to local improvement taxation.)
- farmland		86. In determining the market value of farmland used only for farm purposes, no consideration may be given to sales to persons whose principal occupation is other than farming.
	see also UNORGANIZED TERRITORY; CONDOMINIUM - assessment	

Subject

Reference

Description and Notes

Assessment, Environmental see ENVIRONMENTAL ASSESSMENT

Assessment information for
planning P.A. 67

Assumption of highway by a
municipality see HIGHWAY - assumption

ASSUMPTION PLAN Public Transportation and
Highway Improvement Act 6

This is a plan by the Minister of Transportation and Commu-
nications to establish the vesting of a highway in the
Crown.

Auditorium see PUBLIC HALL; RECREATION

Automobile see MOTOR VEHICLE, CAR WASH

Automobile service station see SERVICE STATION

AUTOMOBILE WRECKING YARD Municipal Act 210(130)

Council may prohibit, regulate and inspect motor vehicle
wrecking yards.

Highway Traffic Act 41

Motor vehicle or trailer dealers, car wreckers and used car
dealers must obtain a licence from the Ministry. An
appointed officer under the Act or a constable is authorized
to enter any of these premises for the purpose of
investigation and inspection.

see also JUNK YARDS

Subject	Reference	Description and Notes
Barn	see GAKAGE; AGRICULTURAL POLLUTION; BUILDING CODE - farm buildings	
Base Mappings	see TOPOGRAPHIC MAPS	
BEACHES AND SHORES	Public Lands Act (Natural Resources)	42 The Minister and any municipality may enter into agreements respecting the control and management by the municipality of any public lands comprised of beaches or lands covered with water.
	Beach Protection Act (Natural Resources)	60 Public land that is a beach and is travelled upon is not by reason thereof a highway within the meaning of any Act. Prohibits the moving of any sand (earth, gravel, etc.) from a bed, beach bank, etc. of any lake, river or stream without a license issued by the Minister. Regulations under this Act do not apply to municipalities or individuals removing sand for their own use; however, individuals must obtain the written consent of the municipality.
	Municipal Act 208(31,33)	Council may preserve shores, harbours, bays, riverbanks, etc.
	Shoreline Property Assistance Act (Municipal Affairs and Housing)	A local council may obtain loans from the Treasurer of Ontario to assist landowners in the construction or repair of dykes or other works for protection against erosion. Building repairs necessitated by damage from flooding, erosion or ice formation are also eligible for loans. The loan repayment may be added to the owner's taxes.
	see also NAVIGABLE WATERS	
Beds of Navigable Waters	see NAVIGABLE WATERS	
BEES	Bees Act 19 (Agriculture and Food)	In a rural area, no person may locate a bee-hive closer than 9 metres to a highway, dwelling or cultivated field, unless they are separated by a 2 metre high solid fence extending at least 4.5 metres on each side of the hives. In an urban municipality or in a designated suburban district of a township, bee-hives must be at least 30 metres away from a lot line adjoining lands occupied by a dwelling, a community centre, a public park or other place of public assembly or recreation.
BICYCLE AND FOOT PATHS	Municipal Act	208(54) Council may establish and lay out bicycle paths. This can include land acquisition and is not restricted to using part of a highway. 309(5) Council may set aside a part of a highway as a bicycle or footpath. A relatively permanent arrangement is envisaged, with possibly a physical separation of the path from the motor traffic lanes. 315(10) Council may designate a bicycle lane on any road and prohibit its use by other vehicles. The designation may be for such period or periods as may be specified.
BILINGUAL DOCUMENTS	Municipal Act 104a	Municipal by-laws and resolutions may be passed in English only or in English and French. The same applies to an official plan.
Billboards	see SIGNS	
Blighted Areas	see URBAN RENEWAL	
Boarding house	see LOUING HOUSE	
BOATING RESTRICTIONS	Canada Shipping Act 635 (Transport-Federal)	Boating Restriction Regulations under this Act are administered by the Ontario Ministry of Natural Resources. Enforcement is usually carried out by O.P.P. but the federal Minister may appoint any official of a federal, provincial, county or municipal government as a peace officer for the purpose of these regulations. Regulations may prohibit all vessels from certain waters, or prohibit power driven vessels, specify maximum speed limits, prohibit water skiing or provide for permits for regattas, marine parades and boat races.
Boats	see PUBLIC HEALTH -; WATER CANALS	
BOUY RUB PARLOURS	Municipal Act 221	"Body-rub" and "body-rub parlour" are defined. Council may pass a by-law defining the areas in which body-rub parlours may operate and may regulate or prohibit advertising signs promoting body-rub parlours. An M.O.H., a public health inspector or a peace officer may enter a body-rub parlour at any time to enforce the by-law.
	see also ADULT ENTERTAINMENT; MASSAGE PARLOUR	
Bonus by-law	P.A. 36	

B

Subject

Reference

Description and Notes

BOULEVARDS	Municipal Act 309(1, 2)	Council may set aside part of a highway as a boulevard and permit abutting owners to maintain it. (See also Local Improvements.)
BOUNDARIES	Boundaries Act (Consumer & Commercial Relations)	This Act provides for the confirmation of boundaries of parcels of land which may be in doubt or of the location of the boundaries of a public highway. The cost of the former may be area-rated.
	Territorial Division Act (Municipal Affairs and Housing)	1 The territorial division of Ontario into counties and districts and metropolitan and regional areas is described in this Act.
		9-13 The boundaries of townships lying on certain lakes and rivers are described.
		14 Where doubt exists regarding the township to which an island or other land belongs, a declaration may be sought under the Municipal Corporations Quietening Orders Act.
		15 The Lieutenant Governor in Council may establish new townships, alter the boundaries of territorial districts, alter township boundaries in areas where no letters patent have been issued, and annex any gore or tract of land not forming part of a township to any adjoining township.
- boundary road	Municipal Act 283	Where, on account of physical difficulties or obstructions, a boundary road deviates from a municipal boundary, it is nevertheless deemed to be the municipal boundary for the purposes of this Act.
	see also ANNEXATION	
BRIDGES	Bridges Act (Transportation and Communications)	2(1) No bridge may be built, altered or replaced except with the approval of the Lieutenant Governor in Council.
		(2) Conditions for approval of the building, altering or replacement of a bridge require:
		(a) a petition requesting such approval
		(b) proof that the plans of the bridge have been deposited with both the Minister and the proper registry office, and
		(c) proof that notice of such application has been published in the Ontario Gazette and two newspapers having general circulation in the area of the proposed site.
	Municipal Act 254-295	4 Regulations may be made regarding the building, alteration or replacement of a bridge.
	see also LOCAL IMPROVEMENT; HIGHWAY	Various provisions applying to bridges not under the control of the Crown.
Buffer Strip	see LANDSCAPING	
BUILDING BY-LAWS	Municipal Act 210 (162-174) and 210a; Planning Statute Law Amendment Act, 1983	Most of the provisions relating to building by-laws in the old Planning Act now appear in the Municipal Act. These provisions apply only to existing buildings and minor additions and to used mobile homes.
	see also BUILDING CODE	Arrangements may be made by an upper-tier municipality to provide building inspection services to lower-tier municipalities.
BUILDING CODE	Building Code Act (Municipal Affairs and Housing)	This Act provides the authority for the establishment and enforcement of an Ontario Building Code to replace the building standards established by municipal by-laws and the provincial plumbing code.
		1. The terms "building", "construct", and "demolition" are defined.
		3. The council of each municipality is responsible for the enforcement of this Act unless it enters into an agreement for the provision of enforcement with or by another municipality, the county or the province.
- building permit	see also MANDAMUS	5. A building permit, indicating compliance with the conditions and regulations of this Act, is required for the construction or demolition of a building. The municipality and the province may, within their respective jurisdictions, make regulations concerning such things as the amount of information required on permit applications, building permit fees, and the classes of permits required.
	see also UNORGANIZED TERRITORY - building permit	6(4) Permits may be revoked: if issued on false information, if the construction is not seriously started within six months or if the construction or demolition is suspended for over a year.
- occupation of new buildings		7. Occupation of any part of a new building is prohibited until notice of completion is given and inspection is made and outstanding orders have been complied with.
- abandoned buildings		10. An inspector may prohibit occupancy of an unsafe building until the remedial action he has suggested is taken. If the building is considered by the inspector to be dangerous to the safety of the public it may be repaired, renovated or demolished at the owner's expense.

Subject	Reference	Description and Notes
- Building Code Commission		14. Any dispute with regard to the technical aspects of the building code or sufficiency of compliance may be settled before the Building Code Commission whose decision is final.
- Building Materials Evaluation Commission		15. Decisions of the inspector or chief official may be appealed in the district or county court.
- Ontario Building Code		18. The Building Materials Evaluation Commission is established to examine new materials, innovative techniques and building designs and authorize their use.
		19. Regulations may be made for the purpose of establishing a building code in Ontario governing standards for the construction and demolition of buildings. The nature of these regulations is also described.
		The Ontario Building Code describes administrative and technical requirements of building design and construction. Certain parts of the Ontario Building Code are relevant to planning procedures.
- unorganized territory		Part 2 Administration
- farm buildings		- describes which parts of the Code govern different classifications of buildings; establishes criteria for professional design and describes procedural requirements during construction; waives requirement for obtaining a building permit in unorganized territory.
		- a non-residential farm building is exempt from the requirement for a building permit if municipal council has not passed a by-law prescribing a class of permit for such buildings. All non-residential farm buildings must be built in accordance with the Canadian Code for Farm Buildings whether or not a permit is required.
		- a limit has been placed on the maximum allowable levels of radon gas and its attendant daughter products within buildings in designated areas of Ontario.
		Part 3 Use and Occupancy
		- applies to "Assembly", "Institutional", "High Hazard Industrial" occupancies and all buildings exceeding 6000 sq. ft. in "building area" or 3 storeys in building height. Requirements for spatial separation may affect site planning.
		Part 4 Design
		- governs structural design
		Part 5 Building Requirements for Handicapped Persons
		Part 6 Building Services
- Demolition		Part 8 Demolition
- site planning		Part 9 Housing and Small Buildings
- renovation		- requirements for spatial separation between buildings may affect site planning.
- enforcement		"Residential Renovation Guidelines", prepared by the Ministry of Municipal Affairs and Housing's Housing Renovation and Energy Conservation Unit, discusses the application of the building code to the renovation of existing dwellings.
		"The Enforcement of the Ontario Building Code Act" is a useful article by Nadia Koltum, Deputy City Solicitor, City of North York, published in Municipal Planning and Law Reports, March, 1983.
	National Building Code	A new building code, based largely on the revised (1980) National Building Code, was in the final stages of preparation at the time of publication. The National Building Code is a model document which is used in CMHC mortgage policy and for development by the Federal government.
BUILDING ENCRUACHING ON HIGHWAY	Municipal Act 210(101)	Council may permit an inadvertent encroachment and charge an annual fee.
Building line for deferred highway widening	see SET-BACK	
Building Restoration, Rehabilitation	see CONSERVATION (CULTURAL); HOUSING - O.H.R.P.	
Building Standards	see PUBLIC HEALTH -	

B

Subject

Reference

Description and Notes

BUILT-UP AREA

Highway Traffic Act 1(1)

- 1 "Built-up area" means the territory contiguous to a highway not within a city, town, village or police village where,
 - i. not less than 50 percent of the frontage upon one side of the highway for a distance of not less than 200 metres is occupied by dwellings, buildings used for business purposes, schools or churches, or
 - ii. not less than 50 percent of the frontage upon both sides of the highway for a distance of not less than 100 metres is occupied by dwellings, buildings used for business purposes, schools or churches, or
 - iii. not more than 200 metres of the highway separates any territory described in subparagraph i or ii from any other territory described in subparagraph i or ii,

and signs are displayed as required by the regulations.

Drainage Act 1.3

The definition of a built-up area in the Drainage Act is almost the same as the above. However, there is no requirement that signs be displayed or that the area be contiguous to a highway and a fourth alternative is available.

BUSINESS IMPROVEMENT AREA

Municipal Act 217

- iv. a plan of subdivision has been registered.

- Main street revitalization

Council may designate an Improvement Area and establish a Board of Management to beautify municipally-owned lands, buildings and structures in an area for the purpose of promoting the area as a shopping area. Approval of the Ontario Municipal Board is required. The cost is charged to owners in the area. Low interest loans are available from the Ministry of Municipal Affairs and Housing for communities of less than 30,000 population, under the Main Street Revitalization Program, to assist in implementing a Business Improvement Area.

By-law record

see INDEX OF MUNICIPAL BY-LAWS

Subject	Reference	Description and Notes
Cable T.V.	see TRANSMISSION POLES; WIRES	
Camp grounds	see TOURIST ESTABLISHMENT; TRAILER AND TOURIST CAMPS	
Camps	see PUBLIC HEALTH -; HEALTH AND SOCIAL SERVICE INSTITU- TIONS - charitable institu- tion; PUBLIC LANDS - summer resort location	
Canals	see WATER CANALS IN SUBDIVI- SIONS	
CANOPIES	Municipal Act 309(3)	Council may permit canopies to project over the sidewalk and may levy an annual fee.
CAPITAL LEVIES		Special capital levies are authorized in the Local Improve- ment Act, the Tile Drainage Act, the Drainage Act, the Tele- phone Act and the Police Act (see AREA RATE).
	see also IMPOSTS	
CAR WASH	Municipal Act 210(153)	Council may license, regulate and govern the owners or oper- ators of car washes.
Car wreckers	see JUNK YARDS	
Caution on title	see DEED RESTRICTIONS	
CEMETERY	Cemeteries Act (Consumer & Commercial Relations)	1 Columbarium, crematorium, mausoleum and cemetery are defined. 5 No cemetery may be established or enlarged except with Ministry approval. 41 Establishment and enlargement may occur by expropriation. 58,59 Removal of bodies requires the assent of the Cabinet. 63 The closing of a cemetery requires an order of Cabinet.
Census Farm	see FARM	
Canada Mortgage and Housing Corporation (C.M.H.C.)	see HOUSING (National Housing Act)	
CERTIFICATE OF COMPLIANCE		The Agricultural Code of Practice refers to a Certificate of Compliance which is issued following an evaluation of a livestock production unit, its manure system and quality of management. The certificate is issued jointly by the Minis- tries of the Environment and Agriculture and Food and it attests to a farmer's ability to control pollution.
	see also P.A. 31(21) and Municipal Act 210 (162-174)	
Certificate of occupancy	P.A. 34(6)	
Certificate of Title	see QUIETING TITLE	
Checkerboarding	see PARTITION	
CITIZEN ADVISORY COMMITTEE	Ontario Planning and Develop- ment Act 3, 6(1)(c) (Municipal Affairs and Housing)	These committees consist of persons appointed by the Minis- ter and are intended to advise the Minister with respect to the preparation and implementation of a "development plan". Two committees must be formed in each development planning area: one to represent the municipalities, and one to be broadly representative of the people of the area.
Citizen Participation	see PUBLIC PARTICIPATION	
Charitable Institution Children's Boarding Home Children's Institution Children's Mental Health Centre Children's Mental Hospital	see HEALTH AND SOCIAL SERVICE INSTITUTIONS -	
CLOSING ORDER	see MOTOR VEHICLE ACCESS TO PROPERTY	
Columbarium	see CEMETERY	
COMMERCIAL MOTOR VEHICLE	Highway Traffic Act 1(1)5	"Commercial motor vehicle" means a motor vehicle having permanently attached thereto a truck or delivery body and includes ambulances, hearses, casket wagons, fire apparatus, police patrols, motor buses and tractors used for hauling purposes on the highways.
Committee of Adjustment	P.A. 43, 44	"Establishing a Committee of Adjustment" is a free pamphlet prepared by the Ministry of Municipal Affairs and Housing as a guide for municipal councils - Rev. April, 1980.
Common road	see MOTOR VEHICLE ACCESS TO PROPERTY	

Subject

Reference

Description and Notes

COMMUNITY CENTRE	Community Recreation Centres Act (Tourism and Recreation)	1(1)e "Community Recreation Centre" means land or all or any part of a building or buildings or structures established in accordance with this Act that is maintained and operated for community recreation activity. (A community centre established under The Community Centres Act is deemed a Community Recreation Centre.)
		2 Council may by by-law establish and operate community recreation centres and may grant them aid.
- unorganized territory		3 In unorganized territory a board with jurisdiction may establish and operate community recreation centres.
- joint use		4 Councils may enter into agreements for joint use of community recreation centres and may appoint a committee of management.
		6,9 The Minister may make grants to municipalities and boards for community recreation centre purposes.
		12 Cabinet may make regulations for community recreation centres.
	see also RECREATION	
COMMUNITY IMPROVEMENT	National Housing Act Part VII.1	54.1 After March 31, 1980, C.M.H.C. may help a provincial or local government pay for community services. The agreement must be approved by the federal cabinet. Community services could include a wide variety of neighbourhood improvements, from sewer and water mains to social and recreational facilities and public non-profit housing. The Ontario Ministry of Municipal Affairs and Housing participates through its Community Services Contribution Program.
- Community Services Contribution Program	P.A. 28-30	A "Community Improvement Resources Kit" is published by the Community Renewal Branch of the Ministry. It describes available federal and provincial programs and sources of assistance. Guideline 4 under the 1983 Planning Act is entitled "Community Improvement".
Community-sponsored housing	see HOUSING - non-profit or community sponsored housing	
COMMUTER SERVICES	Commuter Services Act (Transportation and Communications)	This Act establishes the framework for the operation of commuter services by the provincial government and municipalities.
Compiled plan	see JUDGE'S PLAN; MUNICIPAL PLAN; REGISTRAR'S COMPILED PLAN	
COMPOSITE PLAN	Land Titles Act 146 (Consumer and Commercial Relations)	Similar to a Judge's Plan but applies to crown land. Application is made by the Minister of Natural Resources to the Director of Land Registration. The provisions of the Planning Act with respect to approval of plans of subdivision are not applicable to composite plans.
COMPOSITE TOWNSHIP		A township municipality composed of more than one geographic township, or composed of a geographic township and an area such as a mining location or a large island or improvement district.
CONDOMINIUM	National Housing Act (C.M.H.C.)	2 "condominium unit" means a bounded space in a building designated or described as a separate unit on a registered condominium or strata lot plan or description or similar plan or description registered pursuant to the laws of a province and intended for human habitation, and includes any interest in land appertaining to ownership of the unit. ("Strata plan" is a synonym for "condominium plan" in common usage in British Columbia.)
- strata plan	Condominium Act (Consumer & Commercial Relations)	49 The owner of a rented unit is still responsible for common expense fees, but the Corporation may require a tenant to pay any such fees in default and deduct the amount from the rent.
		50 This Section relates a condominium application to the subdivision control provisions of the Planning Act.
- assessment	Assessment Act 65 (Revenue)	Details regarding procedures for condominium development are governed by regulations pursuant to Section 59 of the Act.
		The assessment of condominium and cooperative units is to be based on the same criteria as owner-occupied single family residences in the same vicinity.
- maintenance agreements	Municipal Act 210(62)	Rental premises converted to condominium ownership will be assessed at the level of assessment of similar rental properties, as long as the units continue to be rented.
		Council may enter into agreements with condominium corporations for road maintenance, snow clearing, sewer and water pipe maintenance, etc. on the condominium property.

Subject	Reference	Description and Notes
- easements	Condominium Act (Consumer & Commercial Relations)	8(1) Easements are relevant for single units in allowing for servicing, repairing damage and the support of common elements.
		8(2) Easements are relevant for commons for servicing and for providing support.
	Land Titles Act (Consumer & Commercial Relations) Registry Act (Consumer & Commercial Relations)	41,43a, 24a These provisions clarify the status of easements affecting or benefitting common elements, and their status in phased condominium development.
CONFLICT OF INTEREST	Municipal Conflict of Interest Act (Municipal Affairs and Housing)	The failure of a member of council or of a local board to disclose a pecuniary interest, whether direct or indirect, in any matter that comes before a meeting of the council or local board, including a committee or other meeting, will render the member liable, on the application of an elector to a county or district court judge, to having his seat declared vacant and being disqualified from being a member of any council or local board for a period of up seven years and to make restitution.
Connecting link	see HIGHWAY -	
CONSENT	P.A. 49(1), 52, 53	Land Severance: planning guidelines for land division committees, committees of adjustment and delegated planning boards. Prepared by the Ministry of Municipal Affairs and Housing and available from the Ontario Government Bookstore.
CONSERVATION (CULTURAL)	Ontario Heritage Act (Citizenship and Culture)	Part I This part establishes the overall responsibility of the Minister for heritage conservation, protection and preservation.
		Part II The Ontario Heritage Foundation is appointed by Cabinet. It may acquire and hold property, make grants, advise the Minister, etc.
- easements		A conservation or heritage easement is a legal agreement by which the owner of a property transfers to another person or body the right to approve decisions concerning demolition, addition or alteration of heritage elements of his property.
		Easements or covenants entered into by the Ontario Heritage Foundation may be registered against real property and shall run with the property. The easements or covenants made may be of a positive or negative nature and the Foundation may enforce such easements or covenants even where it owns no land which could be accommodated or benefitted by such an easement or covenant. A municipal council may also enter into a conservation easement agreement without the necessity of designating the property to be of historic or architectural interest under Part IV of the Act.
- conservation review board		Part III A Conservation Review Board is appointed by Cabinet to hear appeals under Parts IV and VI.
- local architectural conservation advisory committee (L.A.C.A.C.)		Part IV Individual properties may be designated by a municipality, which may consult a Local Architectural Conservation Advisory Committee. Properties designated by by-law as being historically and/or architecturally significant previous to the passing of this Act are also covered by the provisions of this Part. There is provision for hearings, appeals, etc. Council approval is required prior to alterations or demolitions. Council may acquire or expropriate the properties or may make grants for alterations. Council may also acquire easements, or enter into covenants and may even assign them to any person if desired.
- heritage conservation districts		Part V If the official plan so provides, a whole area may be designated by a municipality as a Heritage Conservation District. The by-law requires an O.M.B. hearing and approval. It provides protection against demolitions, alterations, removals or erections, but demolition or removal can only be denied for 180 days. Council may also acquire or lease a designated property.
		Part VI Archaeological exploration is only permitted by licence from the Minister. After due notice, property may be designated as archaeologically or historically significant. Thereupon no excavation, alteration or removal of objects may occur except by permit from the Minister. The Minister may also issue a 180 day stop order if a property is likely to be damaged by commercial, industrial or other development. Compensation is provided for.
		The following background material, prepared by the Ministry of Citizenship and Culture, is available from the Ontario Government Bookstore:
		"Guidelines for the Designation of Heritage Conservation Districts". (\$1.00)
		"Guidelines for the Designation of Buildings of Architectural or Historic Importance - a Handbook for Municipal Councillors". (\$0.50)
	Historic Sites & Monuments Act (Environment-Federal)	A nation-wide inventory of historic buildings is in progress. Provision is made for Federal financial involvement but it has not been substantial in Ontario.

Subject

Reference

Description and Notes

Conservation (Energy)	see ENERGY CONSERVATION	
Conservation (Housing)	see HOUSING - neighbourhood improvement	
CONSERVATION (NATURAL ENVIRONMENT)	Conservation Authorities Act (Natural Resources)	2,3 A Conservation Authority may be established by Cabinet upon request of municipalities in a watershed. Where a Region exists, it is the sole participating municipality for its area.
		21 The powers and objectives of an Authority are described. They include an involvement in the management of all natural resources other than gas, oil, coal and minerals. Specifically: dams, reservoirs, parks and recreation and tree planting are mentioned.
- hazard land		28 Subject to Cabinet approval, an Authority may regulate: the use of water from rivers, and lakes, interference with a watercourse, the location of irrigation ponds, the erection of structures in the "regional storm" flood plain, and the dumping of fill.
- dumping fill		32 If a project affects Crown Land, a public work, a Hydro project or a road, a plan must be filed and approval obtained from the appropriate Minister.
	see also: AGRICULTURAL REHABILITATION; HAZARDOUS LAND; BEACHES AND SHORES; DRAINAGE	
Conservation Review Board	see CONSERVATION (CULTURAL) -	
Consolidated hearings	see HEARINGS	
Contracts	see AGREEMENTS; MONEY BY-LAWS	
Controlled access highway	see HIGHWAY -	
Controlled access road	see HIGHWAY -	
CONTROL ORDER	Environmental Protection Act 113-119	The Ministry may issue control or stop orders to reduce or stop pollution of the natural environment.
CONVEYANCE	Conveyancing and Law of Property Act 1(a) (Attorney General)	"Conveyance" includes an assignment, appointment, lease, settlement, and other assurance, made by deed, on a sale, mortgage, demise, or settlement of any property or on any other dealing with or for any property and "convey" has a meaning corresponding with that of conveyance.
	Land Transfer Tax Act (Revenue)	1(1)c "conveyance" includes any instrument or writing by which land is conveyed and includes a final order or foreclosure under any mortgage or charge affecting land and a notice or caution in writing signifying the existence of any instrument or writing by which land is conveyed.
	see also P.A. 49	
Co-operative housing	see HOUSING -; CONDOMINIUM - assessment	
Cottage	see PUBLIC LANDS - summer resort location	A chronological compendium of decisions on cottage or seasonal zoning by-laws is contained in the August 1981 issue of Municipal World.
COUNTY	Municipal Act 1 and 7 P.A. 1(g)	The Municipal Act and the Planning Act differentiate between a "local municipality", which excludes a county, and a "municipality", which is defined as "a locality the inhabitants of which are incorporated" (Municipal Act) or "a local municipality, a county and a regional, metropolitan or district municipality" (Planning Act).
	see also HIGHWAY - county road, - zoning, - gas pumps, signs - suburban road	
County road	see HIGHWAY -	
COVENANT	Conveyancing and Law of Property Act 61 (Attorney General)	A covenant or condition running with the land may be modified or discharged by order of a judge of the Supreme Court or of a judge of the county or district court. This does not apply to any building restriction imposed by a by-law under the Municipal Act or the Planning Act.
	see also WEED RESTRICTIONS	
Crematorium	see CEMETERY	
Crown land	see PUBLIC LANDS	
Culverts	see HIGHWAY -; DRAINAGE	

Subject	Reference	Description and Notes
DAMS	City of Orillia Act see also LAKES AND RIVERS; CONSERVATION; DRAINAGE; PUBLIC LANDS -	A Private Bill was passed in 1980 to authorize the City to build and develop dams for the generation of electrical power in the townships of Georgian Bay and Muskoka Lakes.
DANGEROUS MANUFACTURES	Municipal Act 210(34)	Council may prohibit or regulate the carrying on of trades that may be a fire hazard.
Day Nursery	see HEALTH AND SOCIAL SERVICE INSTITUTIONS -	
Dead Animals	see RENDERING PLANT; AGRICUL- TURAL POLLUTION	
DEBENTURES	Municipal Act 142-157 see also MUNICIPAL BOARD	Under the heading "Money By-laws" the Municipal Act deals with debentures, municipal debt and contracts for the supply of public utilities.
DEED RESTRICTIONS	Land Titles Act (Consumer & Commercial Relations)	117 A land owner may apply to the Land Registrar to have condi- tions or restrictions entered on the registered (i.e. on title) which bind subsequent owners not to do certain things without authorization from named persons. 118 Covenants, conditions and restrictions may be contained in a transfer (i.e. deed) or may be registered pursuant to an application. To be registrable, such covenants, conditions and restrictions must run with or be capable of being legally annexed to land. 124-136 A caution on title has the effect that no dealing with the land may occur without the consent of the cautioner. A registered caution expires automatically in five years unless renewed. The owner of land affected by a caution may apply to the Land Registrar to have the caution removed at any time.
DEEMING A REGISTERED PLAN	P.A. 50(4)	A booklet entitled "Subdivision Control in Registered Plans: Deeming and Part-Lot Control" was published by the Ministry of Municipal Affairs and Housing in May, 1981. It is obtainable from the Ontario Government Bookstore, price \$2.00
Deferred highway widening	see SET-BACK	
Delegation of Minister's Power	P.A. 4	Guideline 3 under the 1983 Planning Act is entitled "Delegation of Minister's Authority".
DEMOLITION	Building Code Act 1(f) Consumer & Commercial Relations) Ontario Building Code Part 8	"demolition" means the doing of anything in the removal of a building or any material part thereof.
Demolition Control	P.A. 33 Ontario Heritage Act (Citizenship and Culture)	Section 33 of The Planning Act gives municipal councils the authority to decide whether a residential building in a defined area may be demolished. If council agrees, then the Building Code governs <u>how</u> the building should be demolished. Demolition of historically significant buildings can be controlled by designation under Part IV of the Ontario Heritage Act.
Derelict motor vehicles	see ABANDONED MOTOR VEHICLES	
Design control	see DEVELOPMENT CONTROL	
Developers' agreements	see IMPOSTS, AGREEMENTS	
Development control	see NIAGARA ESCARPMENT -; Site Plan Control: P.A. 40	
DEVELOPMENT PLAN	Ontario Planning and Development Act, 1973 (Municipal Affairs and Housing)	2. "Development plan" means a plan, policy and program, or any part thereof, approved by the Lieutenant Governor in Council, covering a development planning area or a portion thereof, as defined therein, designed to promote the optimum economic, social, environmental and physical condition of the area, and consisting of the texts and maps describing the program and policy. Sections 5 to 17 of the Act contain provisions relating to the preparation and implementation of a development plan. The Parkway Belt West Plan is the first plan to be prepared as a development plan.
Development road	see HIGHWAY -	
Discrimination	see HUMAN RIGHTS IN ACCOMMODATION	
DISTILLERIES	see INDUSTRIAL NUISANCES	
Domestic animals	see ANIMALS	
Downtown revitalization	P.A. 28-30 see also BUSINESS IMPROVEMENT AREA	

Subject

Reference

Description and Notes

DRAINAGE	Drainage Act (Agriculture and Food)		The Act contains various provisions permitting individuals and municipalities to initiate and maintain drainage works.
		1(11)	"drainage works" includes a drain constructed by any means including improving a natural watercourse, and includes works necessary to regulate the water table or water level within or on any lands or to regulate the level of the waters of a drain reservoir, lake or pond, and includes a dam, embankment, wall, protective works or any combination thereof.
		2-10	These sections describe procedures and requirements needed to construct mutual agreement, requisition, and petition drains.
		11-20	An engineer's report is required to determine the scope and nature of any drainage project to be undertaken.
		21-46	The assessment of the costs and benefits of the drainage works are estimated for the affected properties.
		47-59	Appeals regarding the technical aspects of drainage proposals may be taken to the Ontario Drainage Tribunal. Legal questions may be appealed to the referee.
		60-61	A council raising money to pay for drainage works must impose a special levy upon the land assessed for the works.
		83(1)	Except as authorized by an M.O.E. approved by-law, no person may discharge into a drainage works any substance other than unpolluted drainage water.
		85-90	Provincial grants to aid in the construction of drainage works range from 33 1/3% in counties to 80% in unorganized territories.
- cost and benefit assessment			
- appeals			
- area levy			
- expropriation	Expropriations Act 2(3) (Attorney General)		The Expropriations Act does not apply to land used under the authority of the Drainage Act.
- urban drainage	Municipal Act 210(74, 79 and 82) and 208 (13 to 17)		Council may require and regulate private drains; and may construct service drains from a sewer to the line of the highway. Council may construct drainage and sewerage systems and flood control works.
			The Province of Ontario has prepared model policies for urban drainage management which were not yet officially adopted at the time of publication. Enquiries should be directed to the Pollution Control Branch of the Ministry of the Environment.
			For a more complete discussion, refer to the pamphlet entitled "Drainage Law", published by the Ministry of Agriculture and Food (AGDEX 752/814).
	Tile Drainage Act (Agriculture and Food)		This Act provides for loans to farmers from municipalities to construct tile drains. Loans are repaid by a rate levied on the property and financed in the interim by municipal debentures sold to the Treasurer of Ontario. Loans must be repaid in full, plus interest, if the land is taken out of agricultural use before the loan is repaid. Where a council refuses an application or reduces the amount applied for, the applicant may appeal the decision to the Ontario Drainage Tribunal.
DUMPING OF FILL	City of Windsor Act, 1980		A Private Bill was passed in 1980 to authorize the City of Windsor to prohibit or regulate the dumping of fill in any area or areas of the City. Mississauga obtained similar legislation in 1982, applicable to areas not subject to regulations under section 28(1)(f) of the Conservation Authorities Act.
	see also CONSERVATION; PUBLIC LANDS -; NAVIGABLE WATERS		
Dumps	see WASTE DISPOSAL; LANDFILL		
Dwelling Unit	P.A. 33; see also HOUSING - family housing unit		

Subject	Reference	Description and Notes
EARLY CLOSING BY-LAWS	Municipal Act 211-214	
	see also HOLIDAY CLOSINGS FOR RETAIL BUSINESS	Council may regulate the closing hours of shops, gas stations and hotels. "Shop" is defined.
EASEMENTS		
- conveying land	Conveyancing and Law of Property Act 15	Easements are included in the conveying of property.
	Limitations Act 31 (Attorney General)	No easement in respect of wires or cables attached to property or buildings or passing through or over such property may be acquired except from the owner.
- heritage	see CONSERVATION (CULTURAL) -	
	see also CONDOMINIUM	
Ecology	see ENVIRONMENTAL ASSESSMENT; WASTE MANAGEMENT	
ELDERLY PERSONS CENTRE	Elderly Persons Centres Act (Community and Social Services)	<p>3 Council may, with the Minister's approval, establish and subsidize social and recreational centres for elderly persons.</p> <p>4 Cabinet may make grants toward the establishment and maintenance of such centres, and may make regulations governing them.</p>
Elderly persons housing	see HOUSING -; HEALTH AND SOCIAL SERVICE INSTITUTIONS - home for the aged	
ENCUMBRANCE	Condominium Act 1(o) (Consumer & Commercial Relations)	"Encumbrance" means a claim that secures the payment of money or the performance of any other obligation, and includes a charge under the Land Titles Act, a mortgage and a lien.
	Land Titles Act (Consumer & Commercial Relations)	Zoning and subdivision control do not, of themselves, constitute an encumbrance on title within the meaning of the Land Titles Act.
ENERGY CONSERVATION	City of Ottawa Act, 1980	A Private Bill was passed to enable the City to designate any area covered by an official plan as an energy conservation area. Development in such an area must be preceded by an approved energy use statement, unless that class of development has been exempted.
- energy conservation area		
- energy use statement		
- discussion paper		The Ministry of Energy published a discussion paper in June, 1980, entitled "Energy Efficiency in Municipalities: The Law".
- energy conservation program	Power Corporation Act (Energy)	The Corporation is authorized to provide information, advice and inspection services in respect of the use of all forms of energy.
ENFORCEMENT OF BY-LAWS	Municipal Act 325	Where council has authority to require that something be done and the person required to do it fails to fulfill that obligation, council may do it at his expense and charge the cost to him on his tax bill. (Reference to this clause must be made in the enabling legislation relating to the specific authority).
- fines	Municipal Act 321	Council may impose fines of up to \$2,000 for any municipal by-law infraction.
- action to restrain contravention of by-law	Municipal Act 326, 327	In addition to any other remedies, a by-law contravention may be restrained by a ratepayer, the corporation, or a local board. A court may make an order prohibiting the continuation or repetition of an offence.
	Provincial Offences Act, 1979 (Attorney General)	Part III provides for the laying of information before a Justice of the Peace and for a hearing in a Provincial court.
	Interpretation Act 27(b) (Attorney General)	"By-law Enforcement - An Administrative View" is a bulletin published by the Municipal Administration Branch, Ministry of Municipal Affairs and Housing.
		"In every Act, unless the contrary intention appears, where power is given to a person, officer or functionary to do or to enforce the doing of an act or thing, all such powers shall be understood to be also given as are necessary to enable the person, officer or functionary to do or enforce the doing of the act or thing".

Subject

Reference

Description and Notes

ENTRY ON PRIVATE PROPERTY

see also HYDRO-ELECTRIC POWER
-; PUBLIC WORKS; WEED CONTROL;
AUTOMOBILE WRECKING YARD;
SPILL; TRESPASS AND OWNER'S
LIABILITY; BUILDING CODE
ENFORCEMENT

Some acts include specific reference to the authority to enter on private property. For instance, Section 31 of the Planning Act re: maintenance and occupancy or paragraph 39 of Section 210 of the Municipal Act re: fire matters. Other areas of legislation include no such reference and the courts would be required to determine if entry were legally permissible.

ENVIRONMENTAL APPEAL BOARD

Environmental Protection Act
(Environment) Part XI

This Board hears appeals from applicants who have been refused approval or refused a licence or permit by a Director under the Environmental Protection Act, Ontario Water Resources Act or Pesticides Act.

ENVIRONMENTAL ASSESSMENT

Environmental Assessment Act
(Environment)

This Act provides for the assessment of the effects on the environment of public and private projects. "Environment" is defined to mean the human as well as the natural environment of Ontario. It includes natural, social, economic and cultural factors and their interrelationships.

"Environmental assessment" is the identification, interpretation and evaluation of the effects of an undertaking and its alternatives on the environment.

1(0) An "undertaking" is defined as an enterprise or activity of the Ontario government, a municipality or defined public bodies or, if designated by regulation, a major commercial or business or enterprise or activity.

5-6 No undertaking to which the Act applies may proceed unless the Minister has accepted the environmental assessment and approved the undertaking. The required content of an environmental assessment is described in Section 5 of the Act. It is illegal to issue approvals, licences, etc. or make grants or loans or give guarantees for undertakings which require approval under the EA Act until the approval under the EA Act has first been issued.

7 A review of an environmental assessment is prepared and released by the Minister of the Environment to the public. A period of 30 days is allowed for public review.

9-11 If the Minister considers that the submitted environmental assessment is satisfactory to enable a decision regarding approval to be made, he will accept the environmental assessment. If, however, he considers it to be unsatisfactory, he may amend and accept the assessment after he has notified the proponent and certain other interested parties of this intention and after receiving further submissions from them. Before accepting an environmental assessment, the Minister may require the proponent to do further research, which is then incorporated as part of the environmental assessment.

7,12
13,14 An environmental assessment may be referred to the Environmental Assessment Board on receipt of a requirement for a hearing during the 30-day period following the Minister's giving notice that the review has been completed, or within 15 days of giving notice of proposal to amend. In such cases, the Board decides both on acceptance of the environmental assessment, and approval of the undertaking with or without conditions.

Where the Minister has accepted an environmental assessment, the Minister may approve the undertaking with or without conditions or refuse it, or on receipt of a requirement for a hearing within 15 days of the notice of acceptance, it may be referred to the Board for a hearing and a decision on approval.

24 The Minister may designate provincial officers to make or require such tests or inquiries as are necessary to ensure the enforcement of the Act.

29 The Minister may, with Cabinet approval, exempt any undertaking from the application of the Act, where he is of the opinion that such exemption is in the public interest. Reasons for exemption are normally based on grounds of urgency, or where the undertaking is likely to have insignificant environmental effects.

- Hearings

- exemptions

Subject	Reference	Description and Notes
• regulations		40 Regulations may be made under this section: defining as major any commercial or business enterprise or activity; designating any such enterprise as an undertaking to which the Act applies; defining a body as a public body; exempting persons or undertakings from the Act or regulations.
	Regulation 293	<p>The regulation exempts many Provincial and municipal projects from the Act. Provincial projects which still require environmental assessment include: new provincial highways, sewage and water treatment plants, master plans for provincial parks, major provincial building complexes, Ontario Hydro electrical generating stations and transmission lines, waste disposal sites.</p> <p>Provisions of the regulation also exempt certain activities of Conservation Authorities and the municipal sector. Both these sectors are subject to phased implementation under the regulation and were completely exempt until 1977 and 1980 respectively. Private sector undertakings are subject only if specifically designated.</p> <p>Information on the Environmental Assessment Act, designations, exemptions and guidelines appears regularly in E.A. Update, a periodical digest which may be obtained without cost by writing to E.A. Update, Information Service Branch, Ministry of Environment, 135 St. Clair Avenue West, Toronto, Ontario, M4V 1P5.</p> <p><u>General Guidelines for the Preparation of Environmental Assessments</u> is for sale at the Ontario Government Bookstore.</p> <p><u>Guidelines on Presubmission Consultation</u> in respect of projects are available, at no cost, by writing to the Environmental Assessment Branch, 135 St. Clair Avenue West, Toronto, Ontario, M4V 1P5.</p>
ENVIRONMENTAL ASSESSMENT BOARD	Environmental Assessment Act (Environment) Part III	This Board makes decisions under the Environmental Assessment Act (when referred to for a hearing by the Minister), and recommendations under the Environmental Protection Act and the Ontario Water Resources Act, with respect to certain waste disposal matters and sewage works. Any decision of the Board under the Environmental Assessment Act can be altered, or a new hearing ordered, by the Minister with Cabinet approval. The hearing of the Board under the Ontario Water Resources Act and the Environmental Protection Act are governed by Sections 6 and 33 of the respective Acts.
	see also HEARINGS	
	see also HEARINGS	
Environmental Protection Act	see SEWERAGE; WATER QUALITY; WASTE MANAGEMENT; SPILL	
Erosion Control	see CONSERVATION (NATURAL ENVIRONMENT)	
Escarpment	see NIAGARA ESCARPMENT	
ESTHETICS	see Aesthetics	
Exemptions from taxation - areas or property	see ASSESSMENT	
EXPLOSIVES	Municipal Act 210(8-17)	Council may regulate storage of inflammable or explosive substances and may prohibit the manufacture of such substances.
	see also DANGEROUS MANUFACTURES	
Expressway	see HIGHWAY -	
EXPROPRIATION	Municipal Act	5 Unless otherwise expressly stated, when in any Act a municipality is given the power to acquire land, it includes the power to expropriate.
		192-195 Council may pass by-laws to expropriate land. If the land is in another municipality, O.M.B. approval is required.

Subject

Reference

Description and Notes

	Expropriations Act (Attorney General)	Various provisions. Notice of application to expropriate must be served on the owner, who may request a hearing. The approving authority is either a council, a school board or a Minister.
		9 Where appropriate, land may be expropriated for a limited period.
- relocation costs		13 Compensation is based on market value plus any disturbance considerations, including disturbance to a tenant, and injurious affection.
		18(1) The expropriating authority must pay to an owner such reasonable costs as are the natural and reasonable consequences of the expropriation, including moving costs, legal and survey costs incurred in acquiring other premises, compensation for inconvenience and an allowance for improvements not reflected in market value. Tenants may also be eligible for compensation for disturbance and the loss of a lease.
- Land Compensation Board		26,28 A Land Compensation Board may determine the compensation to be paid if the parties cannot agree. Appeal lies to the Court of Appeal.
		31 When a landowner agrees to the acquisition of his land by a statutory body his compensation may be determined by arbitration at the O.M.B.
- expropriation plan	Registry Act (Consumer and Commercial Relations)	O/Reg. 898, sections 36 to 44, applies to expropriation plans.
- public works	Ministry of Government Services Act	The Minister may expropriate land on behalf of other ministries or government agencies.
	Expropriation Act (Federal: Public Works)	The federal government may expropriate land that is required by the Crown for any public purpose. Some expropriations are governed by the Railway Act. Provision is included for notice, public hearings, compensation, negotiation, etc.
	see also HOUSING -; DRAINAGE -	
Extension or enlargement of non-conforming use	P.A. 44(2)(a)(1)	

Subject	Reference	Description and Notes
Family housing unit	see HOUSING -	
Farm	see AGRICULTURAL HOLDING; HOUSING	
Farm buildings	see BUILDING CODE	
FENCES	Municipal Act 210(18-23), (32) and (31)	Council may prescribe the height and description of lawful fences and may prohibit wooden fences and require vacant lots to be enclosed. S.23 refers in more detail to fences around private swimming pools.
	Snow Roads and Fences Act (10-12) (Municipal Affairs and Housing)	Council may pass by-laws requiring owners of land bordering a public highway to remove any fence that causes an accumulation of snow on any property adjoining a highway.
	Line Fences Act, 1979 (Municipal Affairs and Housing)	The 1979 Act is a major update of the previous Act. Provision is made for the construction of boundary fences between adjoining lands and for arbitration by fence-viewers in case of dispute. If necessary, fence-viewers may prescribe the character of a fence to suit the circumstances.
	Public Transportation and Highway Improvement Act 30(8)	The Ministry may enter on any property adjoining a highway to erect snow fences. It also has control over private fences adjoining a highway (see HIGHWAY).
	Limitations Act 4 (Attorney General)	In order to recover land upon which a neighbour's fence encroaches, action must be taken within 10 years.
	see also OBSTRUCTION OF VIEW; P.A. 40(7)(a)6	"Good Fences Make Good Neighbours" is a bulletin on administrative practices and procedures related to line fences, available from the Ontario Government Bookstore.
		"Fences in Ontario" is a comprehensive study of the legal aspects of fences, published by Municipal World Limited.
FERRIES	Public Transportation and Highway Improvement Act 100	The Minister may operate a ferry service and may subsidize a municipality to operate a ferry.
	Ferries Act (Transportation and Communications)	1 The Lieutenant Governor may license a ferry under the Great Seal for a term of up to seven years at a time.
		5 A township, town or village council may establish, operate, license and regulate ferries, with the approval of the Lieutenant Governor in council. A county council has similar power for an operation between different municipalities.
FILL	see CONSERVATION (NATURAL ENVIRONMENT); LANDFILL; WASTE MANAGEMENT	
FINANCIAL ASSISTANCE TO MUNICIPALITIES, BOARDS AND COMMISSIONS		The "red book" published by the Subsidies Branch of the Ministry of Municipal Affairs and Housing and available from the Ontario Government Bookstore gives a comprehensive overview of financial assistance available from all provincial ministries and agencies.
Fines	see CONSERVATION (NATURAL ENVIRONMENT); LANDFILL; WASTE MANAGEMENT	
	see ENFORCEMENT OF BY-LAWS -	
FIRE MATTERS	Fire Marshals Act (Solicitor General)	The Fire Code, enacted in 1981 as a regulation pursuant to this Act, consolidates regulations from some 63 separate Acts. It includes a minimum width (20 feet or six metres) and other standards for access routes for fire department vehicles. It supersedes municipal by-laws and is designed to provide a minimum level of life safety in existing buildings.
- access routes		Fire safety in new construction is governed by the Building Code. When completed, the Fire Code deals with ongoing operations and activities in the building.
- Building Code	Municipal Act 210(24-45)	Council may prohibit or regulate various matters for fire safety, including prohibiting wooden buildings or fences and requiring buildings and yards to be put in a safe condition.
	Fire Department Act (Solicitor General)	1-10 Various provisions relating to full-time fire fighters in municipalities of more than 10,000 people.
	see also DANGEROUS MANUFACTURES; BUILDING CODE	11 This Act prevails over municipal by-laws.

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Subject	Reference	Description and Notes
Fixed assessment		
Flood control	see CONSERVATION (NATURAL ENVIRONMENT) DRAINAGE	
Flood lighting	P.A. 40(7)(a)(5)	
FLOODPLAIN	P.A. 34(1)3; see also CONSERVATION (NATURAL ENVIRONMENT)	The Ministry of Natural Resources has published, in September 1982, a policy statement on planning for flood plain lands, entitled Flood Plain Criteria. This statement is intended to be reaffirmed as a Policy Statement under the 1983 Planning Act. A provincewide review of the policy statement is currently in progress.
Food Land Guidelines	see AGRICULTURAL LAND	
Footpaths	see BICYCLE AND FOOTPATHS	
FOREIGN LAND SALES	Real Estate and Business Brokers Act (Consumer & Commercial Relations)	
- subdivisions		37 In this Act, "subdivision" means improved or unimproved land divided or proposed to be divided into five or more lots or other units for the purpose of sale or lease and includes land divided or proposed to be divided into condominium units.
- prospectus		38 No subdivision lot outside Ontario may be sold in Ontario until a prospectus has been filed with the Registrar of Real Estate and Business Brokers. 39 No sale or lease of an out-of-province subdivision lot may be concluded unless the purchaser has signed an acknowledgement that he has read the prospectus approved by the Registrar. Rescission of the contract may be demanded by the purchaser within 90 days, if the vendor has not obtained such an acknowledgement. 40 A prospectus application must include financial particulars of the owners. The prescribed form of prospectus requires the provision of information on hard and soft services available as well as the physical characteristics of the land.
Foreign Ownership	see AGRICULTURAL LAND -	
Forests	see WILDERNESS; WOODLANDS; TREES	
Forest road	see HIGHWAY -	
Freeway	see HIGHWAY -; NOISE	
FUNERAL SERVICES ESTABLISHMENT	Funeral Services Act (Health)	1(e) "Funeral Services Establishment" means a premises established or maintained for the purpose of providing funeral services or funeral supplies to the public. 33(1)(r) Subject to cabinet approval and the Minister's prior review, the Board of Funeral Services may make regulations governing the construction, location, maintenance, etc. of funeral services establishments.
FUR FARMS	Fur Farms Act (Agriculture and Food)	1(c) "Fur farm" means premises where fur bearing animals are kept in captivity for propagation or the production of pelts for commercial purposes. 3 All fur farms must be licensed and are governed by regulations.

Subject	Reference	Description and Notes
GARAGE	Municipal Act 210	139 Council may regulate the location of garages, stables, barns, outhouses and manure pits.
		149 The power to regulate public garages does not include provisions touching the amenities of the premises. A court case published in Municipal World of May, 1981, illustrates this point. (Texaco Canada Limited v The Corporation of the City of Vanier, Supreme Court of Canada)
		152 Council may limit the number of service stations and public garages.
	Highway Traffic Act 1(1)12	"garage" means every place or premises where motor vehicles are received for housing, storage or repairs for compensation.
	see also SERVICE STATION; AUTOMOBILE WRECKING YARD	
Garbage	see WASTE MANAGEMENT	
Garbage incinerator	see INCINERATOR	
Garbage Storage	P.A. 40(7)(a)(7)	
GASOLINE PUMP - private	Gasoline Handling Act 1(c) (Consumer & Commercial Relations)	"Consumer outlet" means any premises at which gasoline or an associated product of the operator of the outlet is put into the fuel tanks of motor vehicles used by the operator of the outlet or into portable containers used by the operator of the outlet.
	see also HIGHWAY - King's - gas pumps; OBSTRUCTION OF VIEW	
Gasoline Station	see SERVICE STATION	
Gasoline storage	see EXPLOSIVES	
Gas works	see INDUSTRIAL NUISANCES	
GEOGRAPHIC NAMES	Ontario Geographic Names Board Act (Natural Resources)	The Ontario Geographic Names Board is the statutory authority responsible for the control of names given to geographic features and unincorporated places. The board exercises authority over all place names not governed by other statutes.
Geographical referencing	see ONTARIO CO-ORDINATE SYSTEM	
Go-karts	see MOTOR VEHICLE RACING	
Golf course	see ASSESSMENT -	
Grade separation	see RAILWAY GRADE SEPARATION	
Grading	P.A. 40(7)(a)9, 58	
Grants	see FINANCIAL ASSISTANCE TO MUNICIPALITIES, BOARDS AND COMMISSIONS; MUNICIPAL GRANTS	
Gravel pit	see PITS AND QUARRIES	
GROUP HOME	Municipal Act 236	Council may pass a by-law requiring the registration of group homes; and enforce a policy of separation between them, provided there is a zoning by-law in effect permitting group homes.
	see also HEALTH AND SOCIAL SERVICE INSTITUTIONS - children's residence	Bell v The Queen (North York) established that a zoning by-law cannot discriminate among occupants of residential areas on the basis of the familial relationship of the occupants. However, municipalities can still zone for group homes because licensing and approval standards, inspection and other government requirements distinguish them from other residential uses.

Subject

Reference

Description and Notes

HARBOURS	Government Harbours and Piers Act (Transport Canada)	<p>3 This Act does not apply to any harbour under the control of the National Harbours Board or of any commissioners appointed by Parliament (Toronto, Hamilton, etc.).</p> <p>4 The Act applies to the use, maintenance and ordinary repairs of all other Federal harbours, wharfs, piers and breakwaters.</p>
	Harbour Commissions Act (Transport Canada)	<p>3 This Act provides for the establishment of harbour commissions for any harbour not named in the National Harbours Act or for which a harbour commission has not otherwise been established by Parliament.</p> <p>4 The proclamation establishing a harbour commission must define the limits of the harbour.</p> <p>9 A Commission "shall regulate and control the use and development of all land, buildings and other property within the limits of the harbour, and all docks, wharfs and equipment erected or used in connection therewith".</p> <p>13,19 A Commission may make by-laws regulating or prohibiting the construction of buildings or other structures, and may expropriate land.</p> <p>In an Ontario Supreme Court decision respecting Hamilton Harbour, the Court ruled that the authority of the Harbour Commission to regulate land use was restricted to navigation and shipping purposes. Lands within the harbour limits not intended for navigation and shipping uses are subject to municipal land use regulation. (e.g. industrial lands).</p> <p>Council may regulate, maintain and improve harbours.</p>
HAZARD LAND	Municipal Act 208(31-38)	
	P.A. 2(a)(b), 50(4)(d)(h), 34(3)	An official plan must have regard to such environmental matters as appear to be relevant...; a plan of subdivision must be reviewed with regard to conservation of natural resources and flooding; and a zoning by-law may prohibit the erection of buildings or structures on land subject to flooding or of unstable character.
	see also CONSERVATION (NATURAL ENVIRONMENT)	
Hazardous waste disposal	see INDUSTRIAL NUISANCES, WASTE MANAGEMENT -	
HEALTH AND SOCIAL SERVICE INSTITUTIONS - charitable institution	Charitable Institutions Act (Community & Social Services)	<p>1(c) "Charitable Institution" means all or any part of a building or buildings maintained and operated by an approved corporation for persons requiring residential, sheltered, specialized or group care, but does not include...(a list follows of institutions governed by their own Acts).</p> <p>(e) "Hostel" means a charitable institution for the temporary care of transient or homeless persons.</p> <p>2 All charitable institutions must be approved by Cabinet.</p> <p>6,7 Grants may be made by the Minister to an institution or hostel for building purposes and for acquiring buildings.</p> <p>8 Maintenance grants equal to 80% or more of the cost may be paid to charitable institutions.</p> <p>12 Cabinet may make regulations governing charitable institutions.</p>
- hostel		
- children's residence	Children's Residential Services Act (Community and Social Services)	<p>1(c) "Children's Residence" means all or any part of a building or buildings in which three or more children not of common parentage reside away from the home of their parents or guardians primarily for the purpose of receiving residential care, and includes a foster home or any other home or institution in which three or more children not of common parentage reside and that is supervised or operated by a children's aid society under the Child Welfare Act, whether or not the children are Crown wards or wards of the society, but does not include...(a list follows of institutions governed by their own Acts).</p>
- children's institution	Children's Institutions Act (Community & Social Services)	<p>1(d) "Children's Institution" means all or any part of a building or buildings maintained and operated by an approved corporation for children and other persons requiring sheltered, specialized or group care, but does not include...(a list follows of institutions governed by their own Acts).</p> <p>3 All children's institutions must be approved by the Minister.</p> <p>9 Cabinet may make regulations governing children's institutions.</p>

Subject	Reference	Description and Notes
- children's mental health centre	Children's Mental Health Services Act (Health)	<p>1(c) "Children's Mental Health Centre" means all or any part of a building or buildings maintained and operated to provide services for children suffering from mental, emotional or psychiatric disorders or any combination thereof.</p> <p>3 The Minister with Cabinet approval may establish, operate and maintain children's mental health centres.</p> <p>5 With the Minister's approval, a corporation may also establish, operate and maintain a children's mental health centre.</p> <p>12 Cabinet may make regulations governing children's mental health centres.</p>
- community psychiatric hospital	Community Psychiatric Hospitals Act (Health)	<p>3 Cabinet may establish hospitals for the care of persons suffering from emotional or psychiatric disorders and any part of any institution may be approved as a community psychiatric hospital.</p> <p>7 A community psychiatric hospital is not subject to assessment or taxation for municipal or provincial purposes.</p> <p>9 Cabinet may make regulations governing community psychiatric hospitals.</p>
- day nursery	Day Nurseries Act (Community & Social Services)	<p>1(d) "Day Nursery" means a premises that receives more than five children who are not of common parentage, primarily for the purpose of providing temporary care, or guidance, or both temporary care and guidance, for a continuous period not exceeding twenty-four hours, where the children are,</p> <p>i. under eighteen years of age in the case of a day nursery for children with a developmental handicap, and</p> <p>ii. under ten years of age in all other cases,</p> <p>but does not include,</p> <p>iii. part of a public school, separate school, private school or a school for trainable retarded children under the Education Act,</p> <p>iv. a place that is used for a program of recreation and that is supervised by a municipal recreation director who holds a certificate issued pursuant to section 8b of the Ministry of Culture and Recreation Act, or</p> <p>v. a children's mental health centre under the Children's Mental Health Services Act.</p> <p>3,4,5 A municipal council may establish day nurseries and grant them aid and may enter into agreements with operators for the furnishing of day nursery, private home day care and in-home services. The Minister has similar powers in un-organized territory.</p>
- home for retarded persons	Homes for Retarded Persons Act (Community & Social Services)	<p>1(d) "Home for Retarded Persons" means all or any part of a building maintained and operated by an approved corporation for the residential accommodation of retarded persons, but does not include...(a list follows of institutions governed by their own Acts).</p>
- home for special care	Homes for Special Care Act (Health)	<p>1(a) "Home for Special Care" means a home for the care of persons requiring nursing, residential or sheltered care.</p>
- home for the aged	Homes for the Aged and Rest Homes Act (Community & Social Services)	<p>1(c) "Home" means a home for the aged established or maintained under this Act or a rest home established and maintained under this Act.</p>
- Indian Band	Homes for the Aged and Rest Homes Act (Community & Social Services)	<p>5 The Council of a band may:</p> <p>(a) establish and maintain a home; or</p> <p>(b) enter into an agreement with the councils of one or more other bands to establish and maintain a joint home, with the approval in writing of the Minister.</p>
- mental hospital	Mental Hospitals Act (Health)	<p>1(a) "Approved Home" means a home to which patients may be released from an institution in the manner provided by this Act and the regulations.</p> <p>1(e) "Institution" means an institution under this Act, and includes every approved home connected therewith.</p> <p>2 This Act applies to such institutions as are designated from time to time by the regulations.</p>
- private hospital	Private Hospitals Act (Health)	<p>1(b) "House" means a building or other structure, whether permanent or temporary, intended for human habitation and, where two or more houses are situated on adjacent pieces of land and are occupied by the same person, they shall be deemed to constitute a single house for the purpose of this Act.</p>

Subject

Reference

Description and Notes

		<p>1(h) "Private Hospital" means a house in which four or more patients are or may be admitted for treatment, other than,</p> <ul style="list-style-type: none"> i. a hospital or other establishment or institution supported in whole or in part by provincial aid, ii. an institution in respect of which a license under the Private Sanitaria Act is in force, iii. an institution for the reclamation and cure of habitual drunkards established under the Municipal Act, iv. a house registered under the Maternity Boarding Houses Act, v. a lodging house licensed under a municipal by-law. <p>18 No structural alteration or addition may be made to a private hospital until a plan of the proposed alteration or addition has been approved by the Ontario Hospital Services Commission.</p>
- public hospital	Public Hospitals Act (Healthn)	<p>1(e) "Hospital" means any institution, building or other premises or place established for the treatment of persons afflicted with or suffering from sickness, disease or injury, or for the treatment of convalescent or chronically ill persons that is approved under this Act as a public hospital.</p> <p>4 No hospital may be established without Cabinet approval. No addition may be made to a hospital without the approval of the Minister.</p>
- nursing home	Nursing Home Act (Health)	<p>1(f) "Nursing Home" means any premises maintained and operated for persons requiring nursing care. "Nursing Home" means any premises maintained and operated for persons requiring nursing care or in which such care is provided to two or more unrelated persons, but does not include any premises falling under the jurisdiction of, ... the Private Hospitals Act, ... the Homes for the Aged and Rest Homes Act, etc.</p> <p>3 No person may establish a nursing home or use the term "a licensed nursing home" unless it is licensed under this Act.</p>
- sanitarium	Private Sanitaria Act (Health)	<p>1(g) "Sanitarium" means an institution for the care and treatment of mental and nervous illnesses that is licensed under this Act.</p>
- sanatorium	Sanatoria for Consumptives Act (Health)	<p>1(f) "Sanatorium" means any sanatorium, institution, building or other premises or place, howsoever created, established or incorporated for the treatment of patients.</p>
Health unit	see PUBLIC HEALTH -	
HEARINGS	Statutory Powers Procedure Act (Attorney General)	<p>This Act sets rules for hearings whose outcome may affect the legal rights of individuals. It formalizes certain principles of natural justice to ensure hearings are conducted fairly. Those municipal meetings required for official plans, community improvement plans and zoning bylaws are exempted from the requirements of the Statutory Powers Procedure Act. The Planning Act itself provides for procedures on each of the planning instruments. It also clarifies that a municipality is not obligated to conduct an OMB-type hearing.</p>
	P.A. 60	
	Consolidated Hearings Act (Environment)	<p>2,4 The Act applies in respect of undertakings (defined in section 1(j)), where more than one hearing before more than one tribunal may be required under the provisions of one or more Acts (listed below). It provides for a single consolidated hearing to be held by a joint board for that undertaking, rather than a series of hearings, and the joint board can make a decision, in place of the decisions which would have been made at or after those hearings under the various Acts.</p>
	see also PUBLIC PARTICIPATION	<p>3 At present, a consolidated hearing is held only when a proponent gives Notice to the Hearings Registrar. There is provision for other persons to give such a Notice but this provision will only come into effect on a date to be named in a proclamation. The Notice specifies the general nature of the undertaking, the hearings that are required, and the Act under which those hearings are required.</p> <p>4 Upon receipt of such Notice, the Chairman of the Environmental Assessment Board and the Ontario Municipal Board establish a joint board composed of one or more members from one or both Boards.</p> <p>7,8 Of particular note is the fact that the joint board may award the costs of a proceeding, and may recognize a person as representing a class of parties.</p> <p>13 After a decision has been made by the joint board, Cabinet may, upon application, confirm, vary, rescind or substitute the decision, or require a new hearing. Such application must be made within 30 days after the decision by the joint board.</p>

Subject	Reference	Description and Notes
		14 If no such application is made, the joint board's decision is final.
	Schedule	<p>The Acts to which the Consolidated Hearings Act applies are: the Environmental Assessment Act, the Environmental Protection Act, the Expropriations Act (Sections 6, 7 and 8), the Municipal Act, the Niagara Escarpment Planning and Development Act, the Ontario Municipal Board Act, the Ontario Water Resources Act, the Parkway Belt Planning and Development Act, and the provisions of the following Acts relating to waste disposal site hearings: the Municipality of Metropolitan Toronto Act, the Regional Municipality of Ottawa-Carleton Act, the Regional Municipality of York Act.</p> <p>To date, Joint Boards have held preliminary hearings or hearings of discovery, in which parties to the proceedings are identified and the issues to be heard are clarified.</p> <p>Use of the Consolidated Hearings Act frequently occurs where an Ontario Municipal Board hearing for a re-zoning or an official plan amendment or municipal capital financing approval may be needed for a project which is also subject to the Environmental Assessment Act, or to the hearing provisions of the Ontario Water Resources Act (for sewage works) or the Environmental Protection Act (for waste disposal projects).</p>
Heritage conservation district	see CONSERVATION (CULTURAL) -	
Heritage easement	see CONSERVATION (CULTURAL) -	
HIGHWAY	Municipal Act 298-308	<p>This deals with road widening, diversions, closings, openings, etc. and prohibition of vehicular traffic or pedestrian traffic. No highway less than 20 metres in width may be laid out by council or a land owner without the approval of the Minister of Municipal Affairs and Housing. (306)</p> <p>A road may not be closed if it would deprive a person of access to his property, unless compensation is paid and an alternative means of access is provided. (299)</p> <p>Registration of a plan of subdivision does not automatically mean the highways are assumed by the Corporation. (286)</p> <p>A Ministry of Municipal Affairs and Housing booklet entitled "Public Road Allowances - a Procedural Guideline" (May, 1981) is available from the Ontario Government Bookstore.</p>
- minimum width		1 "Highway" means a common or public highway, or any part thereof, and includes a street, bridge or any other structure incidental thereto and any part thereof. "Road" has the same meaning as highway and "roadway" means the part of the road designed for vehicular traffic.
- access to property		31 Access to a King's Highway is controlled through a permit issued by the Minister.
- assumption		34 The Minister has control over the erection of buildings, gasoline pumps, fences, trees, etc. within 45 metres of any King's Highway and within 180 metres of any intersection. No shopping centre, stadium, drive-in theatre, etc. may be established within 400 meters except by permit from the Minister.
	Public Transportation & Highway Improvement Act	21 Any road deemed by the Minister to be a connecting link between parts of the King's Highway system may be so designated and the Minister may enter into agreement for the construction and maintenance of these connecting links by a municipality or by the Ministry. The proportion of the cost met by the Province varies from 75% to 100%.
- King's Highway		36-39 Designation as a controlled access highway permits the Minister to close any intersecting road and to control all private access. Similar control exists over buildings, signs, shopping centres, etc. as for a King's Highway, but the distance from an intersection is increased from 180 metres to 395 metres.
- connecting link		96-98 A municipality may, with approval of the Minister and the O.M.B., designate a controlled access road and close intersecting roads and restrict access.
- controlled access highway		40 All the provisions applying to a King's Highway apply also to a secondary highway.
- controlled access road		41 An existing road in unorganized territory may be designated as a tertiary road, whereupon all regulations for King's Highway apply, except sections 30 and 31. M.T.C. maintains these roads but need not clear snow and is not liable for damage.
- secondary highway		
- tertiary road		

Subject

Reference

Description and Notes

- resource road		42	A tertiary road may be designated as a resource road. As a result certain load limits and other provisions of the Highway Traffic Act do not apply.
- industrial road		43	A private road used for lumbering, pulp or mining operations and also by the public may be designated as an industrial road. The Minister and the owner may enter into an agreement re maintenance.
- county road		44-61	Various provisions relating to the establishment and maintenance of a county road system, including bridges. A county is not liable for sidewalks.
- zoning		62	A county has, with respect to land within 45 metres of a county road, all the power conferred on a local municipality by Section 34 of the Planning Act. Such county by-law would take precedence over a local by-law in case of conflict.
- gas pumps, signs		63	A county may prohibit or regulate (and provide for the issuance of permits for) gas pumps within 45 metres and advertising signs within 400 metres of a county road. (See also OBSTRUCTION OF VIEW).
- suburban road		65-71	Certain county roads may be designated as suburban roads. Cities and separated towns contribute to their construction and maintenance and are represented on the suburban roads commission. Suburban roads continue to be county roads.
- township road		72-77	Various provisions relating to grants, cost sharing with a neighbouring town, etc.
- resort subdivision		78	A township council may levy a higher road rate upon suburban or resort subdivisions than upon the rest of the township. (With the Minister's approval).
- city, town, village road		79-86	Various provisions relating mainly to subsidies.
- district, metropolitan, or regional road		87-89	Various provisions relating mainly to subsidies.
- development road		90	If the traffic load on a township road requires greater expense than the municipality can afford, the Minister may designate it a development road and subsidize it
- expressway		99(a)	"Expressway" means a divided arterial highway that is accessible only from intersecting arterial streets at intersections at grade that have been approved by the Minister and, where required by the volume of traffic, at grade separated interchanges that have been approved by the Minister.
- freeway		99(b)	"Freeway" means a divided arterial highway that is accessible only from intersecting arterial streets at grade separated interchanges that have been approved by the Minister.
- access road and common road	see MOTOR VEHICLE ACCESS TO PROPERTY		
- forest road	Public Lands Act (Natural Resources)	45-52	Private and public forest roads on public lands are defined. The right-of-passage over these roads is also defined and Ministerial agreements to secure public right-of-passage on private forest roads are also explained.
- use of space over or under a highway	Municipal Act 309(4) Public Transportation & Highway Improvement Act 2(3)		Council may make agreements for pedestrian walkways over or under a highway. The Minister may authorize the use of space over or under a highway under the jurisdiction of his ministry.
- leasing use of untravelled portions	Municipal Act 310		Council may lease or license the use of untravelled portions of highways under its jurisdiction to the owners of abutting land; the use of that land may be controlled for parking or other purposes.
- jurisdiction		257-272	These sections describe what constitutes a public highway and clarify that a council of a municipality has jurisdiction over the public highways and bridges in that municipality, unless that jurisdiction has been expressly conferred upon another council.
	see also ROAD... OBSTRUCTION OF VIEW; BICYCLE AND FOOTPATH; PRIVATE ROAD - snow-plowing; SETBACKS; BOULEVARDS; NOISE		
Historic conservation	see CONSERVATION (CULTURAL)		

Subject

Reference

Description and Notes

HISTORICAL PARK

Historical Parks Act
(Tourism & Recreation)

This Act provides for the establishment and management of parks in the nature of outdoor museums, such as Saint Marie among the Hurons and Old Fort William.

"Historical Park" is also a class of park defined by the Ministry of Natural Resources pursuant to the Provincial Parks Act, but it refers to a different type of park, such as the Petroglyphs Park.

Historic Sites and
Monuments Act (Federal)

P.A. 35

Retail Business Holiday Act
(Solicitor General)

Holding by-law

HOLIDAY CLOSINGS
FOR RETAIL BUSINESS

This Act establishes certain holidays on which retail businesses are to be closed. The exceptions include small grocery stores, milk stores, news and tobacco stands, drug stores, antique shops, flower shops, garden centres, fruit and vegetable stands, service stations and others permitted by the Lord's Day Act (Canada) and the Lord's Day Act (Ontario).

- 4(i) Where it is essential for the maintenance or development of a tourist industry, the council of a municipality may by by-law provide that section 2 (enforcing the retail closings) does not apply, such a by-law or regulation (exempting certain businesses) may classify retail business establishments by size, number of persons employed, character of business, location or any other criterion.

see also EARLY
CLOSING BY-LAWSsee HEALTH AND SOCIAL
SERVICE INSTITUTIONSHome for Retarded
Person
Home for Special Care
Home for the Aged

See Housing -

Home Improvement
Loans

HOME OCCUPATION

Industrial Safety Act
(Labour)

- 1.12 "Homework" means the doing of any work in the manufacture, preparation, improvement, repair, alteration, assembly or completion of any article or thing or any part thereof by a person for wages in premises occupied primarily as living accommodation.

Home ownership loans

see HOUSING -

Home renovation

see HOUSING -
rehabilitation, conversion

Hospital

see HEALTH AND SOCIAL
SERVICES INSTITUTIONS
- mental hospital
- private hospital
- public hospital

Hostel

see HEALTH AND SOCIAL
SERVICE INSTITUTIONS
charitable institution

HOTEL

Hotel Fire Safety Act
(Solicitor General)

- 1(b) "Hotel" means an establishment consisting of one building or two or more connected or adjacent buildings that provides sleeping accommodation for the public and is licensed or required to be licensed under the Tourism Act or the Liquor Licence Act, but does not include a one storey building that,

- i. has a total floor area of less than 3,000 square feet,
- ii. is not attached to any other building, and
- iii. is at least thirty feet distant from any other building that is a hotel within the meaning of this clause.

- 1(g) "Storey" means that part of a building between the top of a floor and the top of the next floor above it, or if there is no floor above it, that part between the top of a floor and the ceiling above it, but does not include a penthouse that is not used by the public, and the storey closest to grade having its ceiling more than six feet above grade shall be deemed to be the first storey.

- 9 The interior and exterior finish materials of every hotel must meet the standards prescribed by the regulations made under this Act.

- 19 Regulations under this Act may govern, among other matters, the construction and alteration of hotels.

- 20 Where conflict exists between any regulation made under this Act and any municipal by-law, the regulation prevails.

Subject

Reference

Description and Notes

HOUSING - programs		Information on housing programs, both federal and provincial, is available in a special edition of Housing Ontario, entitled "Housing, Planning and Renewal Programs in Ontario (July 1, 1980)."
- O.N.I.P.		The Ontario Neighbourhood Improvement Program, launched in 1981, provides for a 50 per cent contribution by the Province toward the cost of roads, sidewalks, parks, community centres and recreational facilities.
- renovation		"Residential Renovation Guidelines" have been produced by the Ministry's Housing Renovation and Energy Conservation Unit.
- OHC	Ontario Housing Corporation Act	This Act establishes the Corporation, which may make loans, grants, etc., or enter into agreements for which the Minister or the cabinet are authorized under the Housing Development Act.
- OHRP	Housing Development Act (Housing)	1 "Building development" and "building development corporation" are defined. In this Act, "municipality" includes a regional municipality.
- rent supplement	O. Reg. 506	2 Cabinet may guarantee loans, advance money, etc. for building development, for the acquisition and rehabilitation of housing units and for urban renewal. Provision is made for financial assistance for rent supplements, mortgages, etc.
- grants or loans		The Minister may make grants or loans to a municipality or persons to assist in the repairs, rehabilitation, improvement or conversion of real property used or to be used for residential purposes.
- research grants, municipal housing statements		3 The Minister may make grants in aid of housing studies and research. (This is administered by the Policy and Program Development Secretariat).
- joint projects		7 Municipalities, the province and the federal government may co-operate in joint housing projects. A housing corporation may carry out and manage a housing project.
- rent subsidy		8 The Ministry may expropriate land for a housing project.
- expropriation		13 A municipality may establish one or more non-profit housing corporations to provide and operate housing accommodation at rentals below the current market for persons of modest income.
- municipal non-profit housing corporation		17 If there is an official plan in effect in a municipality that includes provisions relating to the provision of housing, which provisions have been approved by the Minister subsequent to the coming into force of this section, or if the council of a municipality has adopted a policy statement containing provisions relating to the provision of housing, which statement has been approved by the Minister, the council of the municipality may, <ol style="list-style-type: none"> acquire and hold land, with or without holdings thereon within the municipality for the purpose of a housing project, survey, clear, grade, subdivide, service and otherwise prepare such land for the purpose of the project; and sell, lease or otherwise dispose of such land for a nominal or other consideration for housing purposes.
- adjoining land		18 A municipality may enter into an agreement with any person or governmental authority undertaking a housing project to provide that certain specified uses of land are maintained adjoining the project for a specified period.
- temporary projects		19 In an emergency, a municipality may erect temporary housing accommodation.
- Ministry of Municipal Affairs and Housing	Ministry of Municipal Affairs and Housing Act	This Act establishes the Ministry and describes its functions and objectives in very broad terms.
	National Housing Act (C.M.H.C.)	2 The Act includes several pages of definitions, including the following: <p>"Family housing unit" means a unit providing therein living, sleeping, eating, food preparation and sanitary facilities for one family, with or without other essential facilities shared with other family housing units.</p> <p>"Farm" means land used for any tillage of the soil, including livestock raising, dairying and fruit growing.</p> <p>"House" means a building, together with the land upon which it is situated, intended for human habitation comprising not more than two family housing units.</p>
- family housing unit		
- farm		
- house		

Subject	Reference	Description and Notes
- housing project		"Housing project" means a project consisting of one or more houses, one or more multiple-family dwellings, housing accommodation of the hostel or dormitory type, two or more condominium units or any combination thereof, together with any public space, recreational facilities, commercial space and other buildings appropriate to the project, but does not include a hotel.
- multiple-family dwelling		"Multiple-family dwelling" means a building containing three or more family housing units.
- one-family dwelling		"One-family dwelling" means a house consisting of one family housing unit not attached to or forming part of any other house.
- semi-detached dwelling		"Semi-detached dwelling" means a family housing unit joined by a common or party wall to one other family housing unit.
- mortgages	Part I	5-12 Part I deals with insured mortgage loans.
- rental housing	Part II	13 C.M.H.C. may contract with builders to guarantee rentals from low income housing of over 7 units. 14 Rental housing projects may be financed to 85% of their cost.
- low rental housing		15 Low rental housing projects may be financed by C.M.H.C. loans for up to 95% of the lending value of the project.
- non-profit or community sponsored housing	see also COMMUNITY IMPROVEMENT	15.1 For charitable, co-operative or municipally-owned projects, the maximum loan may be 100% of the lending value of the project. 16 C.M.H.C. may make loans for low or moderate cost housing in connection with mining, lumbering or fishing.
- urban renewal	Part III	22-25.1 Funds have been cut off. See URBAN RENEWAL.
- home improvement loans	Part IV	28-33 C.M.H.C. may guarantee bank loans for home improvement.
- rehabilitation and conversion	Part IV.1	34.1 C.M.H.C. may provide funds to revitalize deteriorating urban areas. Loans may be made to the owners of family housing units for improvement and rehabilitation, but only in areas where standards of maintenance and occupancy have been adopted. Loans may also be made to non-profit corporations to convert dwellings to multiple occupancy, hostels, etc., and to Indian individuals, groups or a band council, with the consent of the Minister of Indian Affairs and Northern Development.
- home ownership loans		34.15 Loans may also be made to assist in the construction or acquisition of houses or condominium units by individuals.
- co-operative housing		34.18 Loans or contributions may be made to assist co-operative housing associations.
- research, etc.	Part V	35 C.M.H.C. is responsible for research into housing conditions, for the promotion of improved housing and for encouraging the adoption of community plans. Grants are available under the community organization program. 36,37 More specific descriptions of C.M.H.C. powers and responsibilities.
- public housing	Part VI	40 C.M.H.C. may undertake public housing projects jointly with any provincial agency.
- land assembly		42-43 C.M.H.C. may make loans to public housing agencies to acquire and service land for housing purposes, and to build or acquire public housing (Maximum 90%). 44 C.M.H.C. may make contributions to subsidize housing accommodation for persons of low income.
- new communities	Part VI.1	45.1 See NEW COMMUNITIES.
- student housing	Part VII	47 C.M.H.C. may make loans to a municipality, provincial agency, hospital, school board, university, co-operative association or charitable corporation for student housing projects (Maximum 90%).
- water and sewerage projects	Part VIII	50 See WATERWORKS; SEWERAGE; COMMUNITY IMPROVEMENT. Two programs are active: (a) The provision of ownership accommodation for low income families in communities of under 2500 population. Administered by C.M.H.C. Subsidies shared by the Province and the Federal government. (b) The provision of senior citizen rental units in communities of under 2500 population. Administered by the Ministry of Municipal Affairs and Housing, managed by local housing authorities. Subsidies shared by three levels of government.

Subject

Reference

Description and Notes

- rent subsidy

56.1 Canada Mortgage and Housing Corporation may make contributions to reduce rents in housing projects operated by a non-profit corporation, a province, a municipality, a public housing agency or an Indian group.

- veterans'

see HOUSING - National Housing Act, sec 15.1, 34.15, 34.16; VETERANS' LAND

HUMAN RIGHTS IN ACCOMMODATION

Human Rights Code, 1981 (Labour)

The Code includes provisions for equal treatment in the occupancy of accommodation, without discrimination because of race, ancestry, colour, creed, sex, handicap, age, origin or receipt of public assistance.

HYDRO-ELECTRIC POWER

Power Corporation Act (Energy)

This Act describes the authority and function of Ontario Hydro, in general terms (51), and more specifically:

- entry on private property

23(1) Ontario Hydro may be authorized by Cabinet to acquire or flood any land, if necessary without the owner's consent, and to divert any watercourse.

32(2) Ontario Hydro may enter upon land adjoining a power right of way to remove obstructions.

63,72 Municipal agents may enter on private property without the owner's consent to erect transmission lines and to interrupt or decrease delivery of power.

67 A Township Council may, with Ontario Hydro approval, distribute power in the whole municipality or in part of it, and may establish a Hydro-Electric Commission.

82 A Township Council may contract with Ontario Hydro for street lighting and may establish an area rate.

83 All of Ontario not forming part of an area with a Hydro contract is deemed to form one rural power district, wherein the Corporation supplies power directly.

- area rate

104-106 Ontario Hydro may direct that all telegraph, telephone and hydro wires be placed underground in cities and towns.

- underground wiring

Rural Hydro-Electric Distribution Act (Energy)

1,2 Grants of up to 50% may be made to municipalities or commissions supplying power to areas in a rural power district or to an adjoining township.

see also P.A. 61

Subject	Reference	Description and Notes
IMPOSTS	Municipal Act 166	Contributions received by municipalities in connection with a subdivision may only be used for expenditures benefitting the occupiers of that subdivision. If not required or not likely to be required for the above purpose, however, the contributions may be expended for some other purpose.
	Municipal Act 215	With O.M.B. approval, Council may impose a special charge on classes of buildings that may impose a heavy load on the sewer or water system. These charges are a lien against the property.
	see also CAPITAL LEVIES; AREA RATES	
IMPROVED LAND	Municipal Affairs Act 20(a)	"Improved Land" means a parcel of land separately assessed that has a building thereon, and includes any land in actual use for agricultural purposes, although there is no building thereon.
IMPROVEMENT DISTRICT	Municipal Act 10(2), 11, 357-359	A municipal entity like a township of village but with a 3 person Board of Trustees appointed by Cabinet instead of an elected council.
	Municipal Affairs Act Part III	An improvement district is under the direct supervision of the Ministry of Municipal Affairs and Housing.
Improvement permit	see PUBLIC LANDS - restricted area	
INCINERATORS	Municipal Act 210(44)	Council may prohibit garbage incinerators in any class of buildings erected after September 1, 1966.
	Waste Management Act Regulation II	Regulation II relates to standards of location and operation.
INDEX OF MUNICIPAL BY-LAWS	Municipal Act 78 see also MUNICIPAL CODE	The clerk of every municipality must keep an index book of every zoning by-law and every other by-law that affects land without directly affecting title of land.
	Registry Act 1(f) (Consumer and Commercial Relations)	Any municipal by-law that effects land may be registered as an instrument.
INDEX OF STATISTICAL FILES		This publication contains descriptive information on the main statistical data files in the Ontario government. A useful reference document for information officers, researchers and others needing to know what statistical material may be obtained from government sources. It describes the contents of each statistical file and gives the originating Ontario government agency. For ease of reference all files are cross-indexed by subject. Price \$5.00, from the Publications Centre, 880 Bay Street, Toronto.
Indian Band - home for the aged	see HEALTH AND SOCIAL SERVICE INSTITUTIONS - home for the aged	
INDUSTRIAL NUISANCES	Municipal Act 210(128)	
	Public Health Act 130	Council may regulate potentially noxious trades and may prohibit or regulate tanneries, gas works, distilleries or other manufactories that may cause a nuisance.
		Consent of the local board or the municipal council must be obtained for the establishment of any of the following trades: blood boiling, bone boiling, refining coal oil, extracting oil from fish, storing hides, soap boiling, tallow boiling, tripe boiling, slaughtering animals, tanning hides or skins, manufacturing gas, manufacturing glue, manufacturing fertilizer from dead animals or from human or animal waste, or any other trade that is or may become offensive. Provision is made for a fine of up to \$250, plus \$20 per day.
Industrial Park	see INDUSTRIAL SITES	
Industrial roads	see HIGHWAY -	
Industrial sewage disposal	see SEWERAGE	

Subject

Reference

Description and Notes

INDUSTRIAL SITES

Municipal Act 210(50)

Council may acquire and expropriate land for industrial sites and may sell or lease it for industrial use.

Development Corporations Act 8

Outside Toronto and vicinity, loans may be available through the Ministry of Industry and Trade to assist municipalities in acquiring and servicing industrial land. Unless it is renewed, the program terminates on March 31, 1984.

Industrial Waste

see WASTE MANAGEMENT

INHIBITING ORDER

LAND TITLES ACT 23 (Consumer & Commercial Relations)

The Supreme Court, the director of titles or the proper master of titles may issue an order or make an entry inhibiting any dealing with registered land until the occurrence of a named event or a further order. Upon application, the court or the director or master of titles would normally make enquiries and notify such persons as considered necessary before issuing an order or making an entry.

Interim Control By-law

P.A. 37

INTERPRETATION

Interpretation Act (Attorney General)

Where an Interpretation Section exists in any act, such as the definitions in the Municipal Act, it applies in addition to the definitions, rules and exceptions in the Interpretation Act. The interpretation section of the Municipal Act extends to all Acts relating to municipal matters.

Subject	Reference	Description and Notes
JOINT PLANNING AREA	P.A. 9	Under the new Planning Act, the only remaining planning areas are joint planning areas in northern Ontario and areas made up entirely of unorganized territory.
JUDGE'S ORDER	Registry Act 86 (Consumer & Commercial Relations)	Upon the application of a municipality, a county or district court judge may cancel in whole or in part any registered plan, or may close or divert a road on a registered plan, impose terms and conditions, etc. No part of any road or lane may be closed or diverted without the written consent of the owner of the abutting lot(s). No order may be made to amend a plan approved under Section 50 of the Planning Act without the prior consent of the Minister responsible for the Planning Act.
JUDGE'S PLAN		The provision in the Land Titles Act for a Judge's Plan has been deleted. Problems with inadequate boundary descriptions are now handled under the Boundaries Act.
JUNK YARDS	Municipal Act 228 Public Health Act 131 see also AUTOMOBILE WRECKING YARDS	Council may license and regulate salvage yards, junk dealers, car wreckers, etc. Any place where junk, rags, bones, refuse, etc. are stored must be approved by the medical officer of health.
KING'S HIGHWAY	see HIGHWAY -	

Subject	Reference	Description and Notes
LAKES AND RIVERS	Lakes and Rivers Improvement Act (Natural Resources)	<p>2 Much of this Act referred originally to the floating of timber. Since 1971, its purpose has been broadened and is described as being to provide for the use of waters of the lakes and rivers of Ontario and to regulate improvements in them, and to provide for:</p> <p>(a) the preservation and equitable exercise of public rights in or over such waters;</p> <p>(b) the protection of the interests of the riparian owners;</p> <p>(c) the use, management and perpetuation of the fish, wildlife and other natural resources dependent on such waters;</p> <p>(d) the preservation of the natural amenities of such waters and on the shores and banks thereof, and</p> <p>(e) ensuring the suitability of the location and nature of improvements in such waters, including their efficient and safe maintenance and operation and having regard to matters referred to in clauses a, b, c, and d, their operation in a reasonable manner.</p> <p>3 The Cabinet may make regulations respecting the use of lakes and rivers and waters therein. The maximum fine is \$5,000.</p> <p>13-29 No dam may be built without approval from the Minister, except in emergency. Various provisions relate to dam repairs, etc.</p> <p>35-36 The Minister may order the removal of any tree, refuse, substance or matter deposited in a lake or river in a manner as in his opinion impairs the natural beauty of the water body.</p> <p>38 The throwing of any refuse, sawdust, chemical, substance or matter from any mill into a lake or river, or on the shore or banks thereof, is prohibited. Provision is made for fines of not less than \$50 per day.</p> <p>90 "Occupied water privilege" means a mill privilege, or water power, that has been or is in use for mechanical, manufacturing, milling or hydraulic purposes, or for the use of which for any such purposes the necessary works are bona fide in course of construction.</p>
- dams		
- aesthetics		
- pollution from a mill		
- occupied water privilege		
Land Assembly	see HOUSING - municipal housing projects, - land assembly; INDUSTRIAL SITES; P.A. 25, 57-59, EXPROPRIATION; ONTARIO LAND CORPORATION	
Land Compensation Board	see EXPROPRIATION -	
Land Division Committee	P.A. 54 and 55	
LAND REGISTRATION	Registry Act and Land Titles Act (Consumer & Commercial Relations)	<p>There are two land registration systems in Ontario: the Registry System and the Land Titles System. The fundamental purposes of both systems are to give public notice of interests which are claimed in land, to establish priorities between claimants to land, and to provide an orderly method of recording and of registers where title can be searched.</p> <p>The Registry System is a registry of documents affecting the title of land or an indexed filing system for real property. It ensures that most outstanding interests will be shown on the abstract but a purchaser must still satisfy himself by title search of the legal effect of the registered instruments. Almost any document purporting to affect the title of land may be accepted for registration in a registry office, provided it complies with certain formalities regarding execution, affidavits and description</p> <p>The Land Titles System is a true register of titles, which authoritatively establishes title. No transfer is effective until recorded but, once this is done, it cannot, apart from fraud, be upset. The title is guaranteed by the Province, backed by an Assurance fund, and no one can acquire rights through mere possession or use of the land. The types of documents acceptable for registration are few in number and must be in the form prescribed by the Act.</p> <p>There is no rule of general application by which it can be determined if a parcel is under one system or the other. The Registry System is the older and originally applied to the entire province. Nearly all of Northern Ontario is under the Land Titles System, which was introduced in 1885 when very little development had occurred in the north. In Southern Ontario, land becomes subject to Land Titles by the voluntary act of the owner in applying to the land registrar for registration under that Act. However, many areas of the province operate exclusively under the Registry System and have no Land Titles Office. (See Directory of Registry and Land Titles Offices in the Municipal Directory). Subdivision of land by registered plan is virtually the same under the two systems. If part of a lot or block is being conveyed, only under Land Titles must an affidavit be filed showing compliance with Section 50 of the Planning Act. Under the Registry System this requirement is waived because it is</p>
- Land Titles Procedural Guide		

Subject	Reference	Description and Notes
LANDFILL	Environmental Protection Act Regulation 309	1.20 "Landfilling" means the disposal of waste by deposit, under controlled conditions, on land or on land covered by water, and includes compaction of the waste into a cell and covering the waste with cover materials at regular intervals.
	see also WASTE MANAGEMENT - standards	1.8 "Dump" means a waste disposal site where waste is deposited without cover material being applied at regular intervals.
Landscaping	P.A. 40(7)(a)6	
LANDS IN TAX ARREARS	Municipal Affairs Act 40	Where any part of taxes are unpaid, property may be taken over by the municipality after one year (for vacant land) or three years (for improved land).
LAND SEVERANCE	see CONSENT	
LAND SPECULATION TAX	Land Speculation Tax Act (Revenue)	This Act was repealed in 1978.
Land use conditions	see PUBLIC LANDS - sale or lease	
Land use plan	see OFFICIAL COMMUNITY PLAN; OFFICIAL PLAN; STRATEGIC LAND USE PLAN	
Land value	see ASSESSMENT	
LAUNDRIES	Municipal Act 210 (158,159)	Laundries and self-service laundries may be regulated.
LEASING OF LAND	Municipal Act 193(2)	Council may lease any land it has acquired.
	see also PUBLIC LANDS - sale or lease	
Leasing of portion of highway	see HIGHWAY -	
LETTERS PATENT		Grant by the Crown of lands, franchises. etc. contained in charters or instruments not sealed up but exposed to open view with the Great Seal pendent at the bottom.
Levies (lot levies)	see IMPOSTS; CAPITAL LEVIES	
Licence of occupation	see PUBLIC LANDS -, PROVINCIAL PARKS	
LICENSING AND REGULATING	Municipal Act 110	The power to license includes the power to prohibit and to refuse a licence at the discretion of Council. However, the courts do not seem to interpret this in the way a layman might. See, for example, Malette vs. Eldon, Municipal and Planning Law Reports, Vol.4 Part 3, August, 1978.
		As used frequently throughout the Municipal Act, "licensing and regulating" implies only a limited power to regulate. For instance, regulating a public garage doesn't include provisions touching the amenities of the premises, such as a fence. (Texaco Canada Limited v City of Vanier, March 19, 1981, Supreme Court of Canada).
Line fences	see FENCES	
Liquid Waste	see WASTE MANAGEMENT	
LITTER	Municipal Act 316(5)	Council may prohibit the throwing of paper, handbills, dirt, glass or other refuse on any road.
		Council may prohibit littering of private or public property.
	Municipal Act 210(76)	3 No person may abandon any material likely to become litter. Provision is made for fines of up to \$100 for a first offence and \$1000 subsequently.
	Environmental Protection Act 73-78 and 3(a), 3(h)	
Livestock barns	see AGRICULTURAL POLLUTION	
Loading Space	P.A. 34(1)6 and 40(7)(a)3	
Local architectural conservation advisory committee	see CONSERVATION (CULTURAL) -	

Subject

Reference

Description and Notes

LOCAL BOARD

Municipal Affairs Act 1(c)

"Local Board" means a school board, public utility commission, transportation commission, public library board, board of park management, local board of health, board of commissioners of police, planning board, or any other board, commission, committee, body or local authority established or exercising any power or authority under any general or special Act with respect to any of the affairs or purposes, including school purposes, of a municipality or of two or more municipalities or parts thereof.

Local board of health

see PUBLIC HEALTH -

LOCAL IMPROVEMENTS

Local Improvement Act (Municipal Affairs and Housing)

- 1.25 "street" includes a lane, alley, park, square, public drive and public place, or a part of any of them.
- 2 Works that may be undertaken as local improvements include: street widening and improving, incl. sidewalks, boulevards, sodding, planting, etc.; bridges, sewers, watermain, extensions of gas, light, heat or power works, parks up to 1 hectare, shore protection works and retaining walls.
- 64 Ordinary maintenance is not included but street cleaning, snow cleaning, snow clearing, grass cutting, etc. may be charged on a frontage basis.
- 67 A township or village may also construct waterworks, sewerage works and street lighting works.
- 6 For works over \$50,000 O.M.B. approval is required if someone objects to the work. Costs may be borne by the entire municipality or by a section thereof or may be shared between the municipality and/or a section thereof, and the lots abutting the work.
- 7 Local improvements may be undertaken on petition, on council initiative ("the initiative plan") or on the recommendation of the Minister of Health. Alternatively, council may proceed without petition, but with U.M.B. approval, for certain works.
- 12 Owners may petition against a council initiative. Majority opposition may kill a project for at least 2 years.
- 20 Except as otherwise provided, costs are assessed to abutting lots on a frontage basis.
- 21-52 Various procedures for distributing costs of local improvements are described.
- 70 Council may adopt the local improvement system by by-law and thereafter certain works may only be undertaken as local improvements.

Town of Midland Act, 1980

Generally, if a work such as a street, sewer or watermain has been installed at one owner's expense, the owners of abutting lots may connect to the work without paying any share of the cost. This Act provides for proportional payments from all abutting owners before they may connect.

see also SIDEWALKS -

Local municipality

see MUNICIPALITY

LUCAL ROADS BUARD

Local Roads Board Act (Transportation and Communications)

- 2 This Act applies only in territory without municipal organization.
- 7 Ten or more owners of land in an area may call a meeting to consider the establishment of a local roads area. The Minister may establish the area upon petition from such a meeting. Three trustees are elected.
- 10 The Board may, subject to the Minister's approval, determine the work to be performed on local roads in a local roads area.
- 19 All land as defined in the Provincial Land Tax Act is liable to assessment and taxation for local roads purposes.
- 31-33 Local roads taxes are remitted to the Minister, who adds two dollars for every dollar received, plus an amount in respect of unoccupied Crown Land, and the Minister undertakes the work determined and approved under Section 10.
- 39 The Statute Labour Act ceases to apply to a local roads area.

Subject	Reference	Description and Notes
LOCAL SERVICES BOARD	Local Services Boards Act (Northern Affairs)	<p>The Minister may establish a Local Services Board in a community located in territory without municipal organization. The order establishing the Board may permit it to exercise jurisdiction over water supply, sewage collection and treatment, garbage collection, street or area lighting, fire protection or recreation.</p> <p>A Board may consist of 3 or 5 members, elected annually. A surcharge may be added by the Minister of Revenue to the provincial land tax collected in the Board area and grants may be made by the Minister of Northern Affairs to finance Board operating expenses. In 1983, there were about 20 L.S.B.'s in existence. They are in the Municipal Directory, under the District in which they are located.</p>
LODGING HOUSE	Municipal Act 208(61)	<p>Council may regulate lodging houses, provide for the issuing of licences by the local board of health and prohibit the use of licensed premises except for the use for which the licence was issued.</p>
	Assessment Act 7(10) (Revenue)	<p>"Rooming house" means any house or building or portion thereof in which the proprietor supplies lodging, for hire or gain, to other persons with or without means in rooms furnished by the proprietor with necessary furnishings and does not include a hotel as defined in the Hotel Registration of Guests Act.</p>
Lot levies	see IMPOSTS; CAPITAL LEVIES	
Low rental housing	see HOUSING -	



Subject

Reference

Description and Notes

Main street
revitalization

see BUSINESS IMPROVE-
MENT AREA

Maintenance and
occupancy standards

P.A. 31

The Ministry of Municipal Affairs and Housing has published a pamphlet entitled "All Together Now" and a handbook for property standards officers, entitled "Conserving and Improving our Property". A model by-law is also available.

MANDAMUS

For a discussion of the rights of competing interests in mandamus applications for building permits, see Municipal Planning and Law Reports, Vol. 9, Part 4, June, 1980.

Maps

see TOPOGRAPHIC MAPS

MARINAS

Ontario Water Resources
Act 44(1)(1)

The Minister may regulate marinas to control pollution.
(Regulation 310)

Gasoline Handling
Act 1(j)
(Consumer & Commercial
Relations)

"Marina" means any premises at which gasoline or an as-
sociated product is sold and is put into the fuel tanks of
motor boats and other craft or into portable containers.

Market value

see ASSESSMENT -

Mausoleum

see CEMETERY

MASSAGE PARLOURS

Municipal Act 210(160)

Council may regulate massage parlours and enforce the
regulations through the health department or the police
department.

Master Plan

see OFFICIAL PLAN

METES AND BOUNDS

"Metes and Bounds" refers to a system of describing land by
means of a written description referring to metes - measures
of length - and natural or artificial boundaries. The de-
scription follows a course from a fixed point called a monu-
ment or marker to other fixed points until the area is en-
tirely enclosed.

METRIC SYSTEM

Weights and Measures Act
(Federal - Consumer &
Corporate Affairs)

Schedule II of this Act provides the metric equivalent of 1
yard. 1 yard = 9144/10,000 metre

Registry Act
U. Reg. 898/80

This Regulation provides information in both the metric and
imperial systems on the maximum permissible error in closure
for a subdivision perimeter survey. Maximum permitted
distances for other surveying technicalities are also given
in both metric and imperial measurements. If metric
measurements are used on a plan of survey, a standard note
must be included to indicate that all measurements are in
metres and can be converted to feet by dividing by 0.3048.

Boundaries Act
O/Reg. 85/80

Certification of Titles
Act U/Reg. 98/80

Land Titles Act
O. Reg. 554/80

Condominium Act
(Consumer & Commercial
Relations)
O. Reg. 122/80

The Ministry of Consumer and Commercial Relations has pro-
duced a metric information kit for use in the land registra-
tion systems. (June, 1976). Since July 1, 1976, plans have
been accepted at Land Registry offices in either imperial or
metric units.

Metric Conversion Statute
Law Amendment Act (Industry
and Trade)

This Act converts measurements in many different Acts into
the metric system. Not all parts have been proclaimed.
Part VII, proclaimed on January 22, 1979 contains amendments
to the Planning Act which will facilitate the use of metric
measurements in municipal planning documents.

P.A. 42

A pamphlet entitled "Metric Conversion of Planning
Documents" has been produced by the Ministry of Municipal
Affairs and Housing to provide information to municipal-
ities. It is available from the Ontario Government
Bookstore.

Mineral aggregates

see PITS AND QUARRIES

MINING

Mining Act 1
(Natural Resources)

This Act includes definitions of terms such as "mining
rights", "surface rights", "mine", "refinery", "mining
lands", and "minerals".

Landlord and Tenant
Act 19(1)(e)
(Attorney General)

A definition of "mining lease" is included.

Conveyancing and Law of
Property Act, 16, 17
(Attorney General)

Note that Section 49(2) of the Planning Act clarifies that
no consent is required to separate mining rights from
surface rights.

see also PUBLIC LANDS -
mineral rights

"Mining rights" and "surface rights" are defined.

Minister's order

P.A. 46, 47, 48

Subject	Reference	Description and Notes
MINOR VARIANCE	P.A. 44	"Minor Variances and Non-Conforming Uses - Committee of Adjustment Guidelines" (September, 1980) by the Ministry of Municipal Affairs and Housing is available from the Ontario Government Bookstore. Also, see "Rules of Procedure - Minor Variance Applications", O. Reg. 155/78
- registration on title		Registrars were advised in December, 1980 that minor variances do not affect title to land and, therefore, are not registrable under either the land titles or registry system.
MOBILE HOME	P.A. 34(3), 45, 47, 48	Individual mobile homes may be located on lots subject to the same restrictions as other dwellings, provided that not more than one mobile home is located on a lot. Mobile home parks, or any grouping of mobile homes on a single parcel of land, may only be developed or expanded on land specifically zoned to permit such use of land. Some of the existing legislation affecting mobile homes still refers to them as trailers. The term trailer should no longer be used to describe factory built dwellings designed for permanent occupancy. Section 45 of the Planning Act does not apply to recreational vehicles, but only to mobile homes (including double wides) constructed for permanent residential accommodation. It should be noted that Section 31 of the Planning Act re maintenance and occupancy standards includes a mobile home in the definition of "property".
	Highway Traffic Act 1(1)15b	"Mobile home" means a vehicle, other than a motor vehicle, that is designed and used as a residence or working accommodation unit and exceeds 2.60 metres in width or 11.0 metres in length.
	Residential Tenancies Act, 1979 (Consumer & Commercial Relations)	1(i)(g) "mobile home" means any dwelling that is designed to be made mobile, and constructed or manufactured to provide a permanent residence for one or more persons, but does not include a travel trailer or tent trailer or trailer otherwise designed.
		1(i)(h) "mobile home park" means the rental units, and the land, structures, services and facilities of which the landlord retains possession and that are intended for the common use and enjoyment of the tenants of the landlord, where two or more occupied mobile homes are located for a period of sixty days or more.
	Ontario Building Code 2.1.1.5(2)	Part VII of the Act deals with mobile homes and, among other matters, lists the responsibilities of a landlord in a mobile home park for garbage disposal, road maintenance, etc.
	see also TRAILERS; TRAILER AND TOURIST CAMPS AND MOTELS; P.A. 31(1)(e); UNORGANIZED TERRITORY	The Code refers to structural requirements for mobile homes, which apply to manufactured buildings intended for residential occupancy, constructed in sections not wider than 14 feet.
		A Mobile Homes Information Kit is available from the Ministry of Municipal Affairs and Housing's Communications Branch. It gives an overview of provincial legislation, policies and responsibilities.
		"Planning for Mobile Homes" is a booklet published by the Ministry of Municipal Affairs and Housing in September, 1981 to assist in the preparation of official plan policies on mobile homes. It is available for \$2.00 at the Ontario Government Bookstore.
MODULAR HOME	Retail Sales Tax Act 1.7 (Revenue)	"Modular home" means a house that is intended for residential purposes and that is constructed by assembling manufactured modular units each of which comprises at least one room or living area, has been manufactured to comply with the A277 series of standards prescribed by the Canadian Standards Association, and bears the seal of that Association attesting to such compliance.
MONEY BY-LAWS	Municipal Act Part X	Sections 142-157 deal with debentures, municipal debt, contracts for the supply of public utilities, etc.
Mortgages	see HOUSING - and HOUSING - Rural housing mortgages	
Motel	see TRAILER AND TOURIST CAMPS AND MOTELS	

Subject

Reference

Description and Notes

MOTORIZED SNOW VEHICLE	Motorized Snow Vehicles Act	Council may prohibit the driving of motorized snow vehicles along or across any highway. (A snow vehicle is excluded from the definition of a motor vehicle).
MOTOR VEHICLE	Highway Traffic Act 1(1)23	"Motor vehicle" includes an automobile, motorcycle, and any other vehicle propelled or driven otherwise than by muscular power; but does not include the cars of electric or steam railways, or other motor vehicles running only upon rails, or a motorized snow vehicle, traction engine, farm tractor, self propelled implement of husbandry or road-building machine within the meaning of this Act.
MOTOR VEHICLE ACCESS TO PROPERTY	Road Access Act, 1978 (Municipal Affairs and Housing)	1(a) "Access Road" means a road on land not owned by a municipality and not dedicated and accepted as, or otherwise deemed at law to be, a public highway, that serves as a motor vehicle access route to one or more parcels of land. 1(b) "Common Road" means an access road on which public money has been expended for its repair or maintenance.
- closing order	see also Highway - access to property	This Act provides for a legal process before an existing access to property over a neighbour's land may be closed. Provision is made for a closing order to be issued by a judge after appropriate notification. Provision is also made for an appeal from the order.
MOTOR VEHICLE RACING	Municipal Act 210(59)	Council may prohibit or regulate the racing of motor vehicles or motorcycles in any area of the municipality.
Multiple family dwelling	See HOUSING -	
MUNICIPAL BOARD	Ontario Municipal Board Act (Attorney General)	33-34 The O.M.B. has the power of a court of record. It has authority to determine questions of law or fact. 53 The Board is charged with the approval of money or debenture by-laws, and approves any by-laws as required by law or which a municipality voluntarily applies for. It may enquire into the financial affairs of municipalities, supervise expenditures, hear and determine disputes between municipalities and settle sewer and water rates between them. 44 The Lieutenant-Governor-in-Council may refer to the Board any matter relating to a municipality, railway or public utility subject to the Board's jurisdiction. 42 The Board may re-hear any application before deciding it or may review, rescind or change any decision, approval or order made by it. 94 The Lieutenant-Governor-in-Council may confirm, vary or rescind an O.M.B. decision and may order a rehearing. 95 Leave may be sought from a Court of Appeal to appeal an O.M.B. decision on a question of law or jurisdiction. The court certifies its opinion to the Board and the Board must issue an order accordingly.
- appeal	see also HEARINGS	
MUNICIPAL CODE	Municipal Act 105 see also INDEX OF MUNICIPAL BY-LAWS	Instead of passing separate by-laws, Council may pass a comprehensive general by-law to be known as a Municipal Code. If it consolidates earlier by-laws, those provisions are deemed to have come into force on the day the original by-law came into force.
MUNICIPAL GRANTS	Ontario Unconditional Grants Act (Municipal Affairs and Housing) see also FINANCIAL ASSISTANCE TO MUNICIPALITIES	This Act describes the formulas used to assign provincial grants to the municipalities. It covers grants for municipal police service, general support grants, resource equalization grants, and special grants for Northern Ontario. Schedules describing these formulas and designating certain grants may also be included.
Municipal Housing Statement	see HOUSING -	
MUNICIPAL LOANS	Municipal Works Assistance Act (Municipal Affairs and Housing)	This Act empowers the Minister to make and forgive loans to municipalities and to make arrangements to borrow money from the Municipal Development and Loan Board, as contemplated in the Municipal Development and Loan Act (Canada). Eligible municipal projects include school board capital works.
MUNICIPAL PLAN	Registry Act 85 (Consumer & Commercial Relations) O/Reg. 898 (45-50) see also JUDGE'S PLAN; REGISTRAR'S COMPILED PLAN;	Where land in a municipality has been sold under surveys or subdivisions made in such a manner that it so differs from the way in which it was surveyed or granted by the Crown that the parcels cannot be identified, and the land is not registered, the council may cause a plan of that land to be made, register it and have the expenses incurred paid for by a special area assessment rate.

Subject

Reference

Description and Notes

MUNICIPALITY	Municipal Act	1.17	"municipality" means a locality the inhabitants of which are incorporated.
		1.12	"local municipality" means a city, town, village or township.
	Municipal Affairs Act	1(f)	"municipality" means the corporation of a county, city, town, village, township or improvement district and includes a local board thereof and a board, commission or other local authority exercising any power with respect to municipal affairs or purposes, including school purposes, in an unorganized township or unsurveyed territory.
	see also COUNTY		

Subject

Reference

Description and Notes

Names	see GEOGRAPHIC NAMES: STREET NAMES	
NATURE RESERVE, NATURAL ENVIRONMENT	see PROVINCIAL PARK - classification	
NAVIGABLE WATERS	Beds of Navigable Waters Act 1 (Natural Resources)	The bed of any navigable water is Crown land. Beaches are not necessarily crown land, depending on the patents. The province controls the bed, the federal government controls the surface. If a creek is a navigable waterway and its bed is owned by the Crown, lands on each side of the creek would not be abutting land for the purposes of the Planning Act.
	Navigable Waters Protection Act (Transport Canada)	5 No work may be built in, upon, over, under, through or across any navigable water unless the plans have been approved by the Minister. This does not apply to works that in the Minister's opinion do not interfere substantially with navigation. "Work" may include a bridge, tunnel, dock, power cable, the dumping of fill, etc.
		19,20 No rubbish likely to interfere with navigation may be thrown into navigable waters. No stones, gravel, rubbish, etc., may be thrown into navigable tidal water unless there is a depth of at least 20 fathoms at all times.
Neighbourhood improvement	see COMMUNITY IMPROVEMENT	
NEW COMMUNITIES	National Housing Act Part VI. 1	45.1 C.M.H.C. may participate with a provincial agency in the planning and development of new communities. The province must indicate its plans for urban growth. The agreement must stipulate the measures to be taken to ensure that the public will receive any economic benefits that may be obtained from the lands and services.
		45.2 Loans may be made to the provincial agency for the development of the new community, and up to 50% of the loan may be forgiven.
	see also NORTH PICKERING; ONTARIO LAND CORPURATION	
NIAGARA ESCARPMENT	Niagara Escarpment Planning and Development Act, 1973 (Provincial Secretary for Resources Development)	1(c) The Minister responsible for this Act is the Provincial Secretary for Resources Development. However, the Minister of Municipal Affairs and Housing is responsible for the regulations relating to development control (22 and 23).
		2 The purpose of this Act is to preserve the escarpment substantially as a continuous natural environment.
		3 The Minister may define the Niagara Escarpment Planning Area and may direct that a plan be prepared suitable for approval as the Niagara Escarpment Plan.
		4 The Minister is required to establish at least two advisory committees representing the municipalities and the people of the planning area.
		5 Cabinet appoints the Niagara Escarpment Commission composed of seventeen members. The Commission has the status of a corporate body.
		8 The objectives to be sought in the preparation of the Plan are described;
		9,10 Also, the contents of the Plan and the process of its preparation. The Plan is to be submitted to Cabinet for approval.
		12 Amendments may be initiated by the Minister or the Commission and are submitted to Cabinet for approval.
		13 No Ministry may undertake any works in conflict with the Plan and all by-laws must conform to the Plan.
		14 The provisions of the Plan prevail over any local plan or zoning by-law.
		15 The Minister may receive proposals from local municipalities to resolve conflicts between the Plan and local plans or by-laws and he may order an Amendment to a local plan.
		16 The Minister may direct a local municipalities to prepare and adopt a plan or zoning by-law conforming to the Niagara Escarpment Plan.
		17 The Plan must be reviewed not later than five years after coming into effect, and subsequently at five-year intervals.
		18 The Minister may expropriate land to develop the Plan.

Subject	Reference	Description and Notes
- development control		19,20 The Minister may make grants to assist in implementing the Plan.
- fixed assessment		21 The functions of the Commission may be transferred to a region or county council, when the Plan has been substantially completed.
	22,23	The Minister may designate any area as being under development control and the Minister of Municipal Affairs and Housing may regulate the issuance of development permits.
	24	No development may occur and no building permit may be issued without prior receipt of a development permit. (Maximum fine: \$10,000) Development in contravention of the Act may be demolished.
	25	The issuance of development permits may be delegated to the Commission or some other body. The permit relates to the development itself and is not a personal permit.
	27	Agreements may be made for fixed assessments on lands where-upon assessments would otherwise be increased due to a Plan designation. The Minister may reimburse the municipality where agreements for fixed assessments have been concluded.
NOISE	Municipal Act 210(132)	Council may prohibit the making of noise likely to disturb the inhabitants in any defined area. (These by-laws are difficult and expensive to enforce because of the need for corroborative evidence and because quantitative standards may not be included in the by-law. A by-law pursuant to the Environmental Protection Act is usually preferable).
	Environmental Protection Act	1(c) A contaminant is defined to include noise.
		13 The province may prosecute noise polluters under the general provisions of this section which prohibits the emission of contaminants which "...causes or is likely to cause harm or material discomfort to any person; adversely affects or is likely to adversely affect the health of any person,..."
- control order		113-119 The Directors of branches within the Ministry may issue "control" or "stop orders" (where authorized by this Act) in order to control or stop the amount of contaminant being discharged into the environment by the person indicated on the order.
- model by-law		135 The council of a local municipality may pass by-laws regulating the emission of sound, prescribing maximum permissible sound levels, providing for the licensing of persons and premises with respect to noise emissions and prescribing procedures for determining noise levels. These by-laws are subject to the Minister's approval. (A Model Municipal Noise Control By-law has been prepared by the Ministry of the Environment (August, 1978). The booklet containing the model by-law also includes some related publications: "Guidelines for Noise Control in Land Use Planning", "Guidelines for Noise Control in Rural Areas" and "Guidelines on Information Required for the Assessment of Planned Stationary Sources of Sound").
- vehicular noise	Highway Traffic Act 57	Excess vehicular noise, fumes or smoke are prohibited.
	see also AIRCRAFT NOISE	Provincial policy is outlined in "Guidelines on Noise and New Residential Development Adjacent to Freeways" (March 1978) published by the Ministry of Municipal Affairs and Housing, which has also published "Land Use Planning for Noise Control in Residential Communities" 2nd ed. (1981), price \$3.00 at the Ontario Government Bookstore. C.M.H.C. has published a document entitled "New Housing and Road and Rail Noise".
Non Profit Housing	see HOUSING - Non-profit or community sponsored housing	
NORTH PICKERING	North Pickering Development Corporation Act, 1974 (Municipal Affairs and Housing)	This Act was dissolved by the North Pickering Development Corporation Repeal Act, 1982.
	see also ONTARIO LAND CORPORATION	The property rights and obligations of the dissolved Corporation are now vested in the Ontario Land Corporation.
Noxious manufactures	see INDUSTRIAL NUISANCES	
NOISANCE	Public Health Act	32 Where information is given in writing to a local board of health by a resident householder of the existence of a nuisance or unsanitary condition, the local board must forthwith investigate the complaint and take all necessary steps to abate it.
		38 If the local board doesn't act expeditiously, the Minister may step in and charge the municipality.

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Subject	Reference	Description and Notes
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		115-129 Any condition that may become injurious to health may be deemed a nuisance. Among other matters, this may include refuse accumulation, water supply pollution, industrial location, dwelling overcrowding, air pollution, etc.
	Municipal Act 210(134)	A local council may pass by-laws for prohibiting and abating public nuisances.
	see also PUBLIC HEALTH, INDUSTRIAL NUISANCE	
NUMBERING OF BUILDING LOTS	Municipal Act 210 (106, 107)	A local council may pass by-laws for the numbering of building lots and buildings in the municipality and it is obliged to keep a public record of such numbering.
Nursery, Day	see HEALTH AND SOCIAL SERVICE INSTITUTIONS - Day Nursery	
NURSING HOME	see HEALTH AND SOCIAL SERVICE INSTITUTIONS - nursing home	

Subject	Reference	Description and Notes
OBSTRUCTION OF VIEW AT INTERSECTIONS AND ALONG ROADS	Municipal Act 307	Council may enter into agreements for the removal of trees, shrubs, fences, signboards, etc., obstructing visibility at an intersection. If no agreement is obtained, an order may be sought from a county court judge.
	Public Transportation & Highway Improvement Act	108 Subject to appropriate compensation, the Minister may require the removal of any obstruction which might impair the safety or convenience of travellers on a King's Highway.
	see also HIGHWAY - King's Highway	A county or township may fix the distance from centreline within which no tree, building, sign or other obstruction may be allowed which might cause snow to accumulate or might obstruct vision.
Occupancy permit	see CERTIFICATE OF OCCUPANCY	
Occupied water privilege	see LAKES AND RIVERS -	
Offensive Trades	see INDUSTRIAL NUISANCES	
OFFICIAL COMMUNITY PLAN	National Housing Act 2	"Official community plan" means a master plan of community development and land utilization prepared by a local planning authority and legally adopted by or on behalf of a municipality.
Official Plan	P.A. 1(h) 16-27 see also ANNEXATION AND AMALGAMATION	A pamphlet is available from the Ministry of Municipal Affairs and Housing, entitled: "Procedures for the adoption, submission and lodging of official plans and amendments pursuant to the requirements of the Planning Act" (A 1983 edition will be available).
Old Age Homes	see HEALTH AND SOCIAL SERVICE INSTITUTIONS - home for the aged	
Old people	see elderly persons housing; ELDERLY PERSONS CENTRE	
One-family dwelling	see HOUSING -	
Ontario Building Code	see BUILDING CODE	
ONTARIO CO-ORDINATE SYSTEM	Surveys Act O/Reg. 809 (Natural Resources)	The Surveys Act was amended in 1967 to provide for regulations for systems of co-ordinate surveys. One system, "The Ontario Co-ordinate System", was defined in Regulation 809. Although surveying and mapping programs were undertaken using the three degree grid of that system, it was never implemented as a provincial program. The Universal Transverse Mercator Grid System has been adopted as the official standard geographical referencing grid for the Province. It is called the "Ontario Geographical Reference Grid". Further details are available from the Surveys and Mapping Branch, Ministry of Natural Resources (John Kerr, Coordinator, Geographical Referencing; telephone 416/965-4538).
ONTARIO LAND CORPORATION	Ontario Land Corporation Act (Municipal Affairs and Housing)	Ontario Land Corporation is a provincial agency responsible for managing, planning, developing and marketing lands owned by the province throughout Ontario. Its development projects include, among others, Malvern, Townsend, Heritage Green and Seaton. The corporation also administers an extensive mortgage portfolio through its wholly owned subsidiary Ontario Mortgage Corporation.
ONTARIO GAZETTE	Official Notices Publication Act (Attorney General)	Published weekly, the gazette is the official source for notification of legislation and regulations.
Ontario Municipal Board	see MUNICIPAL BOARD	
Ontario Planning and Development	see PROVINCIAL PLANNING	
Open space	see PARKS; PARKWAY BELT; SITE PLANNING	
OUTDOOR FESTIVAL	Public Health Act 10	"Outdoor festival" means a festival for the assembly of more than 2,000 people out of doors for at least 24 hours for musical or theatrical entertainment. The Minister may, with Cabinet approval, make regulations for health and safety standards, for bonding of the promoters, etc. Provision is made for fines up to \$10,000.
Outhouses	see GARAGE; PUBLIC HEALTH	
Overcrowding	see PUBLIC HEALTH	

Subject

Reference

Description and Notes

PARCEL	Boundaries Act 1(c) (Consumer & Commercial Relations)	"Parcel" means an area of land described in an instrument by which the title to an interest in land is or was established or an area of land shown on a plan and includes a public highway or any part thereof.
	Municipal Act 208(51-53)	Council may acquire land for park purposes. The cost may be area rated.
PARKS - area rate	Public Parks Act (Municipal Affairs and Housing)	3 Parks established under this Act must be managed by "The Board of Park Management", which may acquire land, etc.
	Parks Assistance Act (Natural Resources)	2 The parks established under this Act must be maintained and operated for the use and enjoyment of the public in such a manner as will be complementary to the use and enjoyment of provincial parks.
		3 This Act authorizes grants to assist municipalities in the acquisition and development of an approved park or the conversion of a park to an approved park.
		5 Municipalities must file for assistance to the Ontario Parks Integration Board.
		10 Municipalities may pass by-laws (with regard to these parks) regulating such things as: the care, preservation, improvement and management of the park, the amount of traffic in the park, admission prices, etc.
	see also P.A. 41, 50(5)(7)(10) (11)(12), 52(3); PROVINCIAL PARK; RECREATION; SCHOOLS - recreation; HISTORICAL PARK	
PARKING - cash in lieu	P.A. 39	
Parking areas	see Site Plan Control; SITE PLANNING; HIGHWAY - leasing use of untravelled portions; PERMIT PARKING; P.A. 39	
PARKING LOTS - area rate	Municipal Act 208	(55) Council may establish a public parking lot and may, with O.M.B. approval, levy the cost on a defined area.
	Municipal Act 217(34)	(56) A parking authority may be established for the operation of parking facilities within the municipality.
		The Minister of Municipal Affairs and Housing may make loans or grants to a municipality for the establishment of a public parking lot.
PARKWAY BELT	Parkway Belt Planning & Development Act (Municipal Affairs and Housing)	1 The Minister may define a Parkway Belt Planning Area and direct that a Parkway Belt Plan be prepared. (To date, the Parkway Belt West Plan has been prepared and approved by Cabinet).
- fixed assessment		2 The Parkway Belt Plan is a development plan within the meaning of the Ontario Planning and Development Act.
		3 An agreement may be made for fixed assessment if an existing land use differs from the Parkway Belt Plan or local plan designation and the assessment would otherwise be increased as a result of the designation. The Minister may reimburse the municipality for the reduced assessment.
- zoning orders		4 The Minister may make land use regulations within the Parkway Belt Planning Area (Zoning orders). Such regulations need not conform to a local official plan.
Part lot control	P.A. 49(5) and (6)	
Partial Sales and Partial Foreclosures	P.A. 49(16),(17)	
PARTITION	Partition Act (Attorney General)	This Act is intended to provide for the equitable division of assets in land among two or more co-owners, creditors, partners, mortgagees, etc. Its unexpected use to create a "checkerboard" subdivision led to the introduction of Section 33a of the Planning Act in 1978.
		Now, Section 49(20) clearly makes orders under the Partition Act subject to consent.
PEDESTRIAN MALL	Municipal Act 210(123)	Council may establish a pedestrian mall, with the approval of the Minister of Transportation and Communications. Any class of vehicle may be excluded at any specified time.
	Municipal Act 298(10)	In closing a road, council may specify that it is closed for vehicular traffic only, and may erect barricades.

Subject	Reference	Description and Notes
Pedestrian overpass Pedestrian underpass	see HIGHWAY - use of space over or under a highway	
Penalties	see ENFORCEMENT OF BY-LAWS	
PERMIT PARKING	Municipal Act 210(118)	Council may pass by-laws allowing parking on designated parts of highways for specified periods and during specified hours, subject to permits.
PIPELINE	Ontario Energy Board Act 46-55 (Energy)	<p>No transmission line for natural gas may be constructed without an order from the Energy Board. Provision is made for notice, objection procedures, hearing and expropriation.</p> <p>The Ontario Energy Board has produced a booklet entitled "Environmental, Agricultural and Resources Guidelines for the Construction and Operation of Pipelines in the Province of Ontario", dated September, 1976. It is obtainable from the Ontario Government Bookstore.</p>
PITS AND QUARRIES	Pits and Quarries Control Act (Natural Resources)	<ol style="list-style-type: none"> 1 Pits, quarries and wayside pits are defined. (The latter are temporary pits for road projects). 2 The Act applies only to the areas designated by Cabinet regulation. Over 400 townships have been designated, mostly in southern Ontario. A list may be obtained from any district office of the ministry. 4 No pit or quarry may be established without a licence from the Minister. Applications must include a site plan, including land use within 150 metres of the boundaries of the lands to be set aside for the pit or quarry. Operations must conform to the site plan. 5 If anyone objects to an application, the matter must be referred to the O.M.B. 6 The Minister may refuse to issue a licence if it is against the public interest, in his opinion. No licence may be issued if the location contravenes an official plan or local by-law. Where there is no official plan or by-law regulating pit and quarry location, council must be notified and if they object within 45 days, the Minister shall not issue the licence. 7 A licence must be reviewed at least annually and may be revoked. 11 Every licensee must submit a deposit as required by the regulations and may forfeit that deposit if rehabilitation is not adequately carried out. 12 Wayside pits require a permit. 15 The Minister may enforce compliance with the Act by applying for a restraining order. 17 This Act prevails over a municipal by-law.
- restraining order	Aggregates Act, 1979 (Natural Resources)	A completely new Act dealing with pits and quarries received first reading on June 14, 1979, but had not received third reading at the time of publication. When in effect, it will repeal The Pits and Quarries Control Act. "Guidelines for Mineral Aggregate Resource Planning" is a pamphlet in preparation at the time of publication.
- zoning	P.A. 34(2)	Pits and quarries are deemed to be a use of land for the purpose of zoning. The courts had previously determined that this activity was not a "use of land" within the meaning of the former Planning Act.
- restrictive zone		The government has established a pits and quarries restrictive zone in the Niagara Escarpment area. In addition to a development permit, an application must be made to lift the pits and quarries restrictive zone.
Place names	see GEOGRAPHIC NAMES	
PLACE OF AMUSEMENT	Retail Sales Tax Act 1.9 (Revenue)	"Place of amusement" means an amusement park or a premises or place whether enclosed or not, where a cinematographic moving picture machine or similar apparatus is operated, or where a theatrical performance or entertainment, carnival, circus side show, menagerie, concert, rodeo, exhibition, horse race, athletic contest or other performance is staged or held or where facilities for dancing are provided to the public with the service of liquor, beer or wine and for which admission is granted upon payment of a price of admission through the sale of tickets or admission through the sale of tickets or otherwise.

P

Subject

Reference

Description and Notes

Planned Communities	see NEW COMMUNITIES	
Planning area	P.A. 9	
Planning board	P.A. 9-14	
PLANNING ADVISORY COMMITTEE	P.A. 8	Guideline 1 under the 1983 Planning Act discusses the role of planning advisory committees.
Plan of subdivision	see SUBDIVISION PLAN	
Playgrounds	see PARKS; RECREATION	
PLUMBING	Ontario Water Resources Act (Environment)	Note that the plumbing sections of the Act are administered by the Building Code Branch of the Ministry of Municipal Affairs and Housing.
		44(2)(c) The Minister may regulate plumbing.
		45 Plumbing inspections may be undertaken by local municipalities, countries or boards of health.
		48 No municipal by-law regulating plumbing has any effect unless it is permitted under Section 46(1).
Police costs	see Area Rate - police	
POLICE POWER	Municipal Act 104	Council may pass by-laws and regulations for the health, safety, morality and welfare of the inhabitants in matters not specifically called for by the Act.
POLICE VILLAGE	Municipal Act 331-356	Various provisions describing the powers of the trustees of a police village. They may be concerned with sidewalks, culverts, road, public utilities, fire protection, parks and certain other matters described in Section 347.
Policy statements	P.A. 3	
Pollution	see PUBLIC HEALTH, WATER QUALITY, AIR POLLUTION, AGRICULTURAL POLLUTION, LAKES AND RIVERS, SIGN CONTROL, WASTE MANAGEMENT SPILL, NOISE; CONTROL ORDER	
Ponds	see CONSERVATION (NATURAL ENVIRONMENT)	
Preservation of historic buildings	see CONSERVATION (CULTURAL)	
Preservation of wilderness	see WILDERNESS	
Private Hospital	see HEALTH AND SOCIAL SERVICE INSTITUTIONS	
PRIVATE ROAD	see also MOTOR VEHICLE ACCESS TO PROPERTY	"Private Roads - Planning Guidelines for municipalities" is a pamphlet published by the Ministry of Municipal Affairs and Housing in March, 1982.
- snowplowing		With the repeal of Section 429 of the Municipal Act (R.S.O. 1970), municipalities are now no longer exempt from liability when plowing a private road or unopened road allowance.
Private school	see SCHOOLS - private	
Property exempt from taxation	see ASSESSMENT -	
Property standards committee	P.A. 31(11) see also Maintenance and Occupancy Standards	
Prospectus	see FOREIGN LAND SALES	
Provincial interest	P.A. 2, 17(19)(20), 22(5) 34(28) and 46(15)-(17)	
Provincial Land Tax	see UNORGANIZED TERRITORY - assessment	5 Cabinet may classify provincial parks as natural environmental, nature reserve, primitive, recreational, wild river or some other class of park. (The Planning and Management Policies manual published in 1978 describes six classes in current use: natural environment park, nature reserve, wilderness park, recreation park, waterway park and historical park).
PROVINCIAL PARK - classification	Provincial Parks Act (Natural Resources)	

Subject	Reference	Description and Notes
- zoning		7(2) The Minister may designate zones such as: historic zone, multiple use zone, natural zone, primitive zone, recreational zone, etc. (The currently used zones are: historical, natural environment, wilderness, nature reserve, access and development).
- access road		9 The Minister may enter into agreement with a municipality and subsidize the construction and maintenance of a road leading to a provincial park. Approval is required from the Cabinet. Similar arrangements may be made in unorganized territory.
- licence of occupation		20 A licence of occupation may be issued under the regulations to permit mining in a provincial park.
- use of land		21 Cabinet may make regulations controlling the use or occupation of land, erection of buildings, structures and signs, etc.
PROVINCIAL PLANNING	Ontario Planning and Development Act (Municipal Affairs and Housing)	This Act provides for the preparation of a development plan for a provincially defined planning area.
	see also PARKWAY BELT, NIAGARA ESCARPMENT, REGIONAL ECONOMIC DEVELOPMENT	
Public garage	see GAKAGE	
PUBLIC HALL	Public Halls Act 1 (Attorney General)	"Public Hall" means a building, including a portable building or tent with a seating capacity for over 100 persons that is offered for use or used as a place of public assembly, but does not include a theatre within the meaning of the Theatres Act or a building, except a tent, used solely for religious purposes.
PUBLIC HEALTH	Public Health Act	7 The duties and responsibilities of the Ministry include to determine whether the existing condition of any premises or the method of manufacture or business process, or the disposal of sewage or other waste or garbage is a nuisance or injurious to health -- and to enter upon any premises and make such orders and give such directions with regard to the structural alterations of the premises or with respect to any other matter as the Ministry deems advisable in the interests of public health.
- nuisances		9 The Minister, may with Cabinet approval, make regulations for: <ul style="list-style-type: none"> - the removal of nuisances and unsanitary conditions, - directing the alteration or destruction of any building unfit for human habitation, - preventing overcrowding by limiting the number of dwellers on premises, - the sanitary precautions to be taken in health resorts, summer resorts and on boats plying upon inland waters, and for preventing pollution of such waters, - defining, regulating and licensing summer camps, summer resorts and agricultural camps but not including premises commonly known as tourist camps, boarding houses or lodging houses, - prescribing standards for the location, construction, alteration, repair and equipment of premises to be used as dwellings, - defining public swimming pools and regulating or prohibiting their construction, alteration, repair, location, maintenance and use, (see also Section 126 for by-laws regulating public swimming pools), - governing, regulating and restricting the storage, collection and disposal of garbage and refuse in private premises and households.
- overcrowding		
- resorts		
- boats		
- water pollution		
- camps		
- building standards		12 The above regulations prevail over any local by-law.
- swimming pools (public)		17 Every municipality in Ontario must have a local board of health unless it is in a "health unit".
- garbage and refuse (private)		40 One or more counties, or a group of municipalities may establish a health unit. Provincial assistance may be provided.
- local board of health		117 A medical officer of health or an inspector may enter any premises at all reasonable times and may order that the premises be closed if necessary for health reasons. Provision is made for appeal.
- health unit		134 A medical officer of health or an inspector may enter into a lodging house where he has reason to suspect overcrowding which is deemed unhealthy.
- entry on private property		
- lodging houses		

Subject

Reference

Description and Notes

- waterworks, sewerage		138	Where the Ministry reports in writing that water or sewerage works are necessary in the interest of public health, the municipality must forthwith pass all necessary by-laws and undertake the required works without unnecessary delay.
- public slaughterhouses		145	The council of a city or town may by by-law establish a public slaughterhouse or abattoir.
- unorganized territory		159-166	The Minister may make regulations respecting industry to prevent nuisances and may provide for the inspection of houses and premises in unorganized territory.
Public Hospital	see HEALTH AND SOCIAL SERVICE INSTITUTIONS -	Schedule B	This is a by-law in force in every municipality until altered by council. It deals with location of slaughter-houses, removal of garbage, provision of toilets in restaurants, keeping of swine, etc. The clause providing for fines was deleted in 1974.
Public housing	see HOUSING -		
PUBLIC LANDS - public reserves	Public Lands Act (Natural Resources)	3	Where at least 25% of the frontage on a water body is public, at least 25% of that frontage will be retained for access and recreation. Where less than 25% remains, it will all be retained.
- zones		4	Cabinet may make such regulations as are considered necessary to carry out the provisions of the Act, or to meet cases for which no provision is made by the Act.
- restricted area		12	The Minister may establish zones such as "Open", "Deferred", "Closed", etc. and may regulate and administer the use of public lands accordingly. The Minister may designate areas wherein no resort development may occur except by registered plan of subdivision.
- sale or lease		13	In areas without municipal organization the Minister may designate a "restricted area", which gives him control over building permits and land improvements "on such terms and conditions as he considers proper".
- land use conditions		14-18 and 23	Cabinet may make regulations prohibiting or controlling the sale or lease of public lands for other than agricultural purposes. The letters patent may include conditions re the use of the land. Violation of the conditions may result in forfeiture of the land. Upon cancellation of a sale or lease all buildings become Crown property. (See also O. Reg. 246/71 re sale and lease).
- licence of occupation		19	A licence issued by the Minister to permit mining exploration on public lands. Subject to the conditions attached to it, the licence carries similar rights as letters patent.
- dumping of fill		25	Any person who deposits any material on public land or water is liable to a fine of \$500.
- Crown grants		36	Means a grant of a freehold or leasehold interest in un-patented public lands.
- public agricultural lands committee		43	Appointed by the Minister, this committee recommends suitable areas for sale or other disposition as agricultural land and measures for their development.
- forest roads		45-52	This deals with private and public forest roads. Definition etc.)
- trees		54-55	Trees on land disposed of for agricultural purposes remain Crown property until the letters patent are issued.
- mineral rights		57-59	In letters patent issued after 1957 the mineral rights are reserved to the Crown.
- cottage lot condition		65	Where lands have been granted subject to the condition that a cottage be constructed within 18 months, such condition is void.
- subdivision		67	Where public lands have been disposed of and the owner subdivides the land within five years of the issue of letters patent, one quarter in area of the lots is vested in the Crown.
- dams		68-71	The Minister may construct dams and other water control works, expropriate land, etc.
- summer resort locations	Ontario Regulation	246/71	"Cottage" means a building in which facilities are provided for cooking and for shelter for one or more persons living therein as a single and non-profit housekeeping unit. There is no restriction by definition or regulation to differentiate between permanent and seasonal occupancy of a summer resort location. The standard form of lease requires compliance with zoning by-laws and limits the use to a single non-profit housekeeping unit of one cottage and accessory buildings.

Subject	Reference	Description and Notes
PUBLIC PARTICIPATION in plan-making	P.A. 16(b), 17(2),(3), (4) and (7)	
- notifications and objections	P.A. 34(12)(16)(17), 45(5) and 47(5)	
- appeals, public hearings	see DRAINAGE, ENVIRONMENTAL ASSESSMENT; HEARINGS; MUNICIPAL BOARD - appeals; P.A. 31(16) and (18), 33(12), 34(11)-(18), 35(3), 37(4), 40(12), 44(12)-(19), 46(10)-(14), 52(7)-(9); Ontario Planning and Development Act 6(4), 44(6); Municipal Act 14(4) and 301	
Public reserves	see PUBLIC LANDS -	
PUBLIC ROAD ALLOWANCES	Surveys Act 57(1)	Every road allowance shown on a registered plan of subdivision is deemed a public road allowance. A booklet entitled, "Public Road Allowances: A Procedural Guideline" was published by the Ministry of Municipal Affairs and Housing in May, 1981. Price \$2.00 at the Ontario Government Bookstore.
Public schools	see SCHOOLS -	
PUBLIC TRANSPORTATION - area rate	Municipal Act	210 (97) Council may operate a public bus transportation system and and (98) may levy a special rate in a defined area to cover any operating deficit. 315(9) Council may designate any land on any road over which the municipality has jurisdiction as a lane solely or principally for use by public transit motor vehicles.
	Public Transportation & Highway Improvement Act	94,95 Various provisions relating to provincial and municipal subsidies. "Public transportation" means any service for which a fare is charged for transporting the public by vehicles operated by or on behalf of a municipality or a local board thereof, or under an agreement between a municipality and a person, firm or corporation and includes special transportation facilities for the physically disabled, but does not include transportation by special purpose facilities such as school buses or ambulances.
	Highway Traffic Act 162	Council may prohibit commercial motor vehicles other than buses in the left lane of a highway having 3 or more lanes in each direction and a maximum speed of 80 kilometres per hour or more.
- urban transit service area	Regional Municipality of Hamilton-Wentworth Act 53n	The Regional Council shall apply to the Minister of Transportation and Communications to have an area within the Region defined as an Urban Transit Service Area. The Region may thereby obtain licensing powers for public transportation within the Area. The Region's eligibility for provincial transportation subsidy may also be improved within the Area.
- reserved lanes	Municipality of Metropolitan Toronto Act 79a see also RAPID TRANSIT; COMMUTER SERVICES; PUBLIC VEHICLE Municipal Affairs Act 1(g)	The Metropolitan council or an area council may set aside reserved lanes for public transit.
PUBLIC UTILITIES		"Public utility" means a waterworks, gasworks, including works for the transmission, distribution, and supply of natural gas, electrical power or energy works, or system for the generation, transmission or distribution of electric light, heat or power, a telephone system, a street or other railway system, a bus or other public transportation system or any other works or system for supplying the inhabitants generally with necessities or conveniences that are vested in or owned, controlled or operated by a municipality or municipalities or by a local board. "Public utility" means a waterworks, gasworks, including works for the production, transmission, distribution and supply of natural gas, electric heat, light and power works, and telegraph lines, or any works supplying the general public with necessities or conveniences.
	Ontario Municipal Board Act 1(d) (Attorney General)	

Subject

Reference

Description and Notes

- water supply	Public Utilities Act (Municipal Affairs and Housing)	2,4 A municipality may operate waterworks, build reservoirs, divert water bodies to protect the water supply, etc., and may assess the cost of water supply on rateable property in a defined area.
- area rate		6,7 Service pipes from the street line to a building are the property owner's financial responsibility, but under muni- cipal control.
		11,25 A municipality may supply water and other utilities beyond its boundaries.
- area rate		14 A special rate may be levied for waterworks debentures on land not more than 100 metres from a water pipe.
- gas, electricity, etc. and sewerage		17 A municipality may also operate works for gas, electricity, steam or hot water, and sewerage.
		23 Passages common to neighbouring owners may be broken up to lay or repair pipes, provided they are restored.
		34 Profits from a municipal utility other than hydro must be turned over to general revenue.
		37-47 Control of public utilities may be entrusted to a Public Utilities Commission.
		54 Where there is sufficient supply, no building along a supply line may be denied the supply.
		55 U.M.B. approval may be required to lay main pipes closer than 2 m. to any existing main.
- transportation and telephones	Municipal Act 150(2); and 210(51)(f)	63 The operation of a bus, railway, street car or telephone system may be entrusted to a Public Service Commission or to an existing Public Utilities Commission.
- area rate	see also AREA RATE	Council may levy a special annual rate in an area to defray the cost of a public utility provided in that area.
PUBLIC VEHICLE	Public Vehicles Act 1(k)	"Public vehicle" means a motor vehicle operated on a highway by, for or on behalf of any person for the transportation for compensation of passengers, or passengers and express freight that might be carried in a passenger vehicle, but does not include the cars of electric or steam railways run- ning only upon rails, taxicabs, nor motor vehicles operated solely within the corporate limits of the urban munici- pality.
PUBLIC WORKS	Ministry of Government Services Act	This Act provides for provincial public works.
- entry on private property		12 The Minister or his agents may enter upon any land or use any stream, cut any trees, carry away any earth, divert any pipe or wire, etc., without the owner's consent, for any purpose relative to the use, construction, maintenance or repair of a public work.
	Public Lands Act 49 (Natural Resources)	The Minister of Natural Resources or of Government Services may enter into agreements with the owners of land respecting the erection of public works. These agreements may be registered on title.
	P.A. 1(j), 24	

Subject	Reference	Description and Notes
Quarry	see PITS AND QUARRIES	
QUASHING A BY-LAW	Municipal Act 139	A resident of a municipality or an interested person may apply to the Supreme Court to quash a by-law. The application must be made within three months of the publication of the by-law.
QUIET ZONE		The Model Municipal Noise Control By-Law prepared by the Ministry of the Environment contains provisions relating to different types of areas. These include "Residential Area", "Quiet Zone" and "Agricultural Area".
QUIETING ORDER	Municipal Corporations Quieting Orders Act (Municipal Affairs and Housing)	A quieting order is an order by the O.M.B. establishing the legal existence or corporate status of a municipality, or establishing its proper area and boundaries in order to quiet doubts affecting them.
QUIETING TITLE - certificate of title	Quieting Titles Act (Attorney General)	This Act provides for the investigation of the validity of titles to property and the subsequent declaration by a Supreme Court judge establishing title. A certificate of title may be issued and registered.

Subject

Reference

Description and Notes

Railway fencing	see FENCES	
RAILWAY RELOCATION	Railway Relocation and Crossing Act Part I (Transport Canada and Canadian Transport Commission)	Railway facilities in urban areas may be relocated to open the way for urban improvements. The Minister of Transport may pay up to 50% of the cost of preparing an urban development plan, and 50% of the cost of preparing a transportation plan. A financial plan is also required. The plans must have provincial approval before being sent to the CTC with an application for a relocation order or rerouting order. The CTC may issue a relocation or rerouting order to the rail-road company. MOT may make a grant of up to 50% of the net costs of relocation.
RAILWAY GRADE SEPARATIONS	Railway Relocation and Crossing Act Parts II and III (Transport Canada and Canadian Transport Commission)	Special grants and funds are available for the construction of grade separations and railway crossings.
RAPID TRANSIT	Public Transportation & Highway Improvement Act	87 Various provisions relating to provincial subsidies, etc.
Receiving Plant for Dead Animals	see RENDERING PLANT	
Record of by-laws effecting land	see INDEX OF MUNICIPAL BY-LAWS	
RECORD OF STREETS, LOTS, ETC.	Municipal Act 210(107)	Every council must keep a record of its streets and lot numbers, showing street boundaries with dimensions.
RECREATION	Municipal Act 208(57) see also SCHOOLS -; ELDERLY PERSONS CENTRE; COMMUNITY CENTRE; PROVINCIAL PARK - Classification	Council may acquire, build, operate and manage parks, recreational areas, community centres, art galleries, arenas, auditoriums, stadia, museums and other places of recreation or amusement. Money may be borrowed and the cost may be levied on any defined area of the municipality.
Redevelopment	see HOUSING; P.A. 28-30	
REFERENCE PLANS	Land Titles Act 149 Registry Act 74 and U/Reg. 898(25) (Consumer & Commercial Relations)	A "reference plan" is a plan of survey prepared by an O.L.S. and deposited or recorded in the proper land registry office. A Reference Plan is not a registered plan of subdivision but provides a graphic description of land by designating units of land as "PARTS". These plans do not create new geographic units or designations but make it possible to replace a conventional metes and bounds description by referring to the Parts on the plan.
REFUSE ACCUMULATION	Municipal Act 210(74) see also PUBLIC HEALTH - garbage and refuse; maintenance and occupancy standards	Council may pass a by-law requiring and regulating the filling up, draining, cleaning or clearing of any grounds, yards and vacant lots.
Refuse disposal	see WASTE MANAGEMENT	
REGIONAL ECONOMIC DEVELOPMENT	Regional Development Incentives Act (Federal - Regional Economic Expansion)	3 After consultation with the provincial government, Cabinet may designate a region of not less than 5000 square miles as requiring special measures to facilitate economic expansion and social adjustment. In Ontario, the north part of the province is so designated, the southern boundary extending approximately from Parry Sound to Renfrew.
- designated region		
- incentives		4-6 In a designated region, the Minister may authorize financial assistance for the establishment, expansion or modernization of a manufacturing or processing operation. Criteria are established determining the maximum amount of the incentives.
REGIONAL MUNICIPALITIES	see also PROVINCIAL PLANNING Regional Municipality of.. Act, District Municipality of Muskoka Act, Municipality of Metropolitan Toronto Act, Planning Statute Law Amendment Act, 1983 see also RESTRUCTURED COUNTIES, DISTRICTS	Each Region has its own specific enabling provincial Act. Established regions include Durham, Haldimand-Norfolk, Halton, Hamilton-Wentworth, Niagara, Ottawa-Carleton, Peel, Sudbury, Waterloo and York. Also Muskoka and Toronto. The distribution of planning responsibility between the regional and local level differs between regions.

Subject	Reference	Description and Notes
Regional Planning	see REGIONAL MUNICIPALITIES, SEWERAGE - regional plan; WATERWORKS - regional plan; PROVINCIAL PLANNING	Refer also to the Ontario Planning and Development Act, which provides for "development plans" in areas defined by the Minister.
REGISTERED PLAN	Land Titles Act 141-145, 152 and 153 (Consumer & Commercial Relations)	Where land is being subdivided for the purpose of being sold or conveyed in lots, the subdivider must register a plan certified by an O.L.S. in the Land Titles or Registry Office. No such plan to which the Planning Act applies may be registered unless approved under the Act. No plan, though registered, is binding unless a sale has been made according to the plan.
- dissolving a registered plan	see JUDGE'S ORDER	
- deeming a registered plan	see P.A. 49(4)	
REGISTRAR'S COMPILED PLAN	Registry Act 77 (Consumer & Commercial Relations)	The Registrar's Compiled Plan is a bookkeeping tool of the Land Registration System, to facilitate the breaking down of the Abstract Index, in those areas where searching has become costly and time consuming. These plans are prepared largely without benefit of survey, from Registry Office records. Each property in a given area is assigned a compiled plan lot number and the Registrar's Compiled Plan then becomes the visual graphic index for the new Abstract Indexes opened up under these lot numbers.
	see also MUNICIPAL PLAN; JUDGE'S PLAN; REFERENCE PLAN; LAND REGISTRATION	
Regulating	see LICENSING AND REGULATING	
Rehabilitation	see HOUSING -; P.A. 28-30	
RELIGIOUS INSTITUTIONS	Religious Organizations' Lands Act, 1979 (Attorney General)	"Religious organization" is defined to include all denominations. Provision is made for a religious organization to hold land for any religious purpose.
Relocation Costs	see EXPROPRIATION -	
RENDERING PLANT	Dead Animal Disposal Act (Agriculture and Food)	1(j) "Receiving Plant" means a premises to which dead animals are delivered for the purpose of obtaining the hide, skin fats, meat or other product of the dead animals or for the purpose of selling or delivering the dead animals or parts thereof to a rendering plant. 1(k) "Rendering Plant" means a premises at which dead animals are processed into hides, meat, bone meat, meat meal or inedible fats. 2 This Act does not apply to establishments operating under the Meat Inspection Act (Canada).
	see also SLAUGHTERHOUSES	
RENT REVIEW	Residential Tenancies Act, 1979 (Consumer and Commercial Relations)	This Act repeals and replaces the Residential Premises Rent Review Act. The portions establishing the Residential Tenancy Commission and the rent review provisions are in effect. The remaining two-thirds of the Act have not been proclaimed and the Landlord and Tenant Act is still in effect. Non-residential tenancies are governed by the Commercial Tenancies Act.
Rent Supplement	see HOUSING -	
Rental Housing	see HOUSING -	
Reserved bus lanes	see PUBLIC TRANSPORTATION	
Reservoirs	see CONSERVATION; DRAINAGE; PUBLIC UTILITIES	
Residential rehabilitation	see HOUSING - rehabilitation and conversion	
Resort subdivision road rate	see HIGHWAY - Township road	
Resource road	see HIGHWAY -	
Restoration of Buildings	see CONSERVATION (cultural); HOUSING - rehabilitation and conversion; OHKP	
Restraining order	see JUDGE'S PLAN; SUBDIVISION PLAN AREA; PITS AND QUARRIES -	

Subject

Reference

Description and Notes

Restricted area	see PUBLIC LANDS -	In the 1963 Planning Act, the term "Restricted Area by-law" has been dropped in favour of "Zoning by-law".
RESTRICTIVE COVENANT	Conveyancing and Law of Property Act 61 (Attorney General)	A restrictive covenant may be modified or discharged by order of a judge.
RESTRUCTURED COUNTIES, DISTRICTS	County of Oxford Act (Municipal Affairs and Housing)	The County of Oxford was restructured in 1974 and has a limited form of regional government. Some planning functions are at the county level (land division, official plan).
	District of Parry Sound Local Government Act, 1979 (Municipal Affairs and Housing)	Townships and towns have been consolidated into larger units but no regional government has been established.
Right of entry	see ENTRY ON PRIVATE PROPERTY	
Road access to property	see MOTOR VEHICLE ACCESS TO PROPERTY	
ROAD ALLOWANCE ABUTTING WATER	Municipal Act 298(3)	If a road allowance on an original survey abuts a lake or leads to water, it may not be closed or diverted without the approval of the Minister of Municipal Affairs and Housing. "Public Road Allowances on or Leading to Water" is a pamphlet designed to assist municipalities in their consideration of applications for closure or sale of shoreline roads. (January, 1981) Free from the Ontario Government Bookstore.
ROAD CLOSING	Municipal Act 298(1), (11)	Council may pass a by-law to close a road, either permanently or for a specified period of time. The by-law must be approved by the Minister if the road is shown on a subdivision plan registered after March 27, 1946. A registered plan is only binding after the first mortgage or deed has been registered. Prior to that, the subdivider still owns the land and the municipality cannot close the road under this section.
	Public Transportation and Highway Improvement Act 24(3)	A municipality may not open, close or divert a road touching a King's Highway without the consent of the Minister.
	Surveys Act 57 (Natural Resources)	If a municipality has not assumed a road allowance on a plan of subdivision and proceeds to close it, the land belongs to the abutting owners.
	Municipal Act 316, 317	If compensation was paid for a road allowance and the road is subsequently closed and council wants to sell the land, it may set a price and the abutting owners have the first option to buy it.
		A municipality may wish to open a road allowance as an alternative to the allowance on the original survey. If no compensation is paid for the new allowance, the land owner is entitled to the original allowance or to a cash payment, if he owns no abutting land. If compensation is paid for the new allowance, the abutting owners may purchase the allowance on the original survey.
- temporary closing	Municipal Act 208(44)	Council may close a road on a temporary basis for social, recreational, community and athletic purposes.
	Municipality of Metropolitan Toronto Act	Authority is granted to the Metropolitan Corporation on an annual basis to close part of Yonge Street to traffic from June to September.
	see also JUDGE'S ORDER; UNORGANIZED TERRITORY; HIGHWAY; PEDESTRIAN MALL	
Road-leasing of untravelling portion Road, private - snowplowing	see HIGHWAY - leasing, etc. see PRIVATE ROAD - snowplowing	
Roads on public lands	see PUBLIC LANDS	
ROAD REPAIR	Public Transportation and Highway Improvement Act 104	The Minister may repair a local road and charge the municipality if the municipality has let the road fall into disrepair.
	Municipal Act 284,286	A municipality is responsible for the repair of every road and bridge under its jurisdiction. However, registration of a plan of subdivision does not mean that the roads are automatically assumed by the municipality.
ROAD WIDENING	Public Transportation and Highway Improvement Act 109	Agreements may be made by a municipality (other than a city or separated town) for the widening of a highway or county road.
	Municipal Act 298	Council may pass by-laws for widening, altering or diverting any highway or part of a highway.
	see also SET-BACKS; LOCAL IMPROVEMENTS; HIGHWAY; P.A. 40 (7)-(9)	

Subject	Reference	Description and Notes
ROAD WIDENING (DEFERRED)	Municipal Act 196	Council may provide for the laying out or widening of a street, but defer the work for between 3 and 10 years. The required land is vested in the corporation but the owner may retain temporary possession. Except as otherwise ordered by the O.M.B. compensation is not payable till the day of entry. The Expropriation Act does not apply.
	see also SET-BACKS	
ROAD WIDTH	Municipal Act 306 P.A. 40(7)-(9)	No road of less than 20 metres may be laid out without the approval of the Minister of Municipal Affairs and Housing, or of a council with delegated authority.
Rock festival	see OUTDOOR FESTIVAL	
Rooming house	see LODGING HOUSE	
Rubbish on vacant lots etc.	see REFUSE ACCUMULATION	
Rules of procedure	see HEARINGS	
Rural housing programs	see HOUSING -	

Subject

Reference

Description and Notes

SAFETY ZONE	Municipal Act 210(124)	Council may set aside safety zones near bus or street car stops and prohibit cars from driving over them while a pedestrian is in one or entering one.
Sale or lease of public land	see PUBLIC LANDS - sale or lease	
Salvage yards	see JUNK YARDS	
Sand and gravel	see PITS AND QUARRIES; BEACHES AND SHORES	
Sanitaria	see HEALTH AND SOCIAL SERVICE INSTITUTIONS	
Sanitary landfill	see LANDFILL; WASTE MANAGEMENT	
School attendance	see SCHOOLS -	
School pupils from mobile homes	see TRAILERS; TRAILER CAMPS	
SCHOOLS - private	Education Act	1(1)40 "Private School" means an institution at which instruction is provided at any time between the hours of 9 a.m. and 4 p.m. on any school day for five or more pupils who are of or over compulsory school age in any of the subjects of the elementary or secondary school courses of study and that is not a school as defined in this section (i.e. not a public, separate or secondary school).
- site		1(1)53 "School Site" means land or interest therein or premises required by a board for a school, school playground, school garden, teacher's residence, caretaker's residence, gymnasium, offices, parking areas or for any other school purpose.
- attendance		20(2) A child is excused from attendance at school.....if transportation is not provided by a board for the child and there is no school that he has a right to attend situated within 1.6 km. from his residence if he is under seven, within 3.2 km. if he is under ten, or within 4.8 km. if he is ten or over. 38 If a child lives more than 3.2 km. from school and no bus transportation is provided closer than 0.8 km. from home, he (she) may attend a school in an adjoining school section if it is closer.
- recreation		150(1)9 A school board may operate the school ground as a park or playground and rink. 150(1)22 A school board may permit the school buildings and premises to be used for any educational or other lawful purpose.
- recreation in unorganized territory		150(1)42 Where a recreation committee has been appointed in unorganized territory, a school board may exercise the powers of a municipal council to levy rates and collect taxes for the purposes of the recreation committee.
- recreation, shared use		160 A school board may enter into agreements for shared use of facilities for cultural, athletic, educational, administrative or other community purpose, including community recreation centres.
- transportation		10(1)29 The Minister may make regulations governing the transportation of pupils. 163 A school board <u>may</u> provide transportation to and from school.
- private vocational	Private Vocational Schools Act (Colleges and Universities)	1(c) "Private vocational school" means a school or place at which instruction in any vocation is offered or provided by class room instruction or by correspondence, other than a college of applied arts and technology, a university recognized by the Ministry of Colleges and Universities or course of instruction maintained under any other act of the Legislature.
- mobile homes	see TRAILERS (Mobile homes)	
School sites	see SCHOOLS - site	
School transportation	see SCHOOLS - transportation	
Shared use of schools	see SCHOOLS - recreation, shared use	
Secondary Highway	see HIGHWAY -	
Self-service gas station	see SERVICE STATIONS - self-service	

Subject	Reference	Description and Notes
Semi-detached dwelling	see HOUSING -	
Senior citizen	elderly person	
SEPTIC TANK	Environmental Protection Act, Regulation 374/81 see also SEWERAGE; PUBLIC HEALTH -	A fact sheet is available from the Ministry of the Environment. It describes the minimum standards for septic tank system design, including location standards relative to buildings, water bodies and property lines.
SERVICE STATIONS	Municipal Act 210	151 An "automobile service station" means a building or place where gasoline, oil, grease, anti-freeze, tires, tubes, tire accessories, electric light bulbs, spark plugs and batteries for motor vehicles are stored or kept for sale, or where motor vehicles may be oiled, greased, or washed, or have the ignition adjusted, tires inflated or batteries charged, or where only minor or running repairs essential to the actual operation of motor vehicles are executed or performed. Council may regulate service stations in defined areas but this power does not permit the location of a service station contrary to a zoning by-law.
	Municipal Act 502	152 Council may also limit the number of service stations and of public garages. (Repeal not proclaimed)
- self-service	Gasoline Handling Act (Consumer & Commercial Relations)	1(n) "Service station" means any premises at which gasoline or an associated product is sold and is put into the fuel tanks of motor vehicles or into portable containers; Among other matters, the regulations pursuant to this Act state that self-service gasoline stations must be approved by the Ministry. The Ministry consults with the local municipality before approving an application.
SET-BACKS	Municipal Act 197 see also HIGHWAY - King's Highway; OBSTRUCTION OF VIEW	Council of a local municipality may establish a minimum building line set-back from a highway, as a preliminary step to widening the highway. Such a by-law requires O.M.B. approval. The required set-back may not exceed 6 metres, except that for the purpose of carrying out an official plan or of improving the appearance or utility of a highway, the O.M.B. may authorize greater set-backs.
Sewer and water levy	see IMPOSTS	
SEWERAGE	Environmental Protection Act	62 "Sewage system" means a cess pool, septic tank system, leaching pit, privy, holding tank, etc. and also any works for the handling of hauled sewage. 64 No building may be constructed, enlarged or altered if such action affects the operation of the sewage system unless a certificate of approval has first been issued by the Ministry of the Environment. Similarly, no sewage system may be installed or altered without a certificate. 67 No person shall use a new sewage system without first obtaining a permit. 68 An order may be issued against persons operating in contravention of the certificate or permit requirements. If ignored, the work may be undertaken and charged to the owner. 69 No person may construct, clean, repair or empty a sewage system without a licence. 70 A municipality may enter into agreements with the Minister providing for the issuance of certificates of approval, or permits, or for the making of orders or the carrying out of inspections respecting sewage systems proposed with respect to applications for plans of subdivision or consents, or for the collection of fees for inspections. 71 Applications for approval of plans of subdivision or consents are subject to a fee for each lot. The fee requirement is not applicable to lots of over 4 hectares, or to active farms or to subdivisions to be served by a sewage works approved under Section 24 of the Ontario Water Resources Act.
- certificate of approval	Municipal Act 210	77,78 Council may regulate sewage and drainage and may operate sewerage systems. 147 It may prohibit and regulate the discharge of waste into sewers.

Subject

Reference

Description and Notes

- area rate	Municipal Act 218	(1)-(16) Subject to O.M.B. approval, council may impose a sewer rate on occupants of land who may derive a benefit from sewage works to be constructed. The rate applies only to capital costs and no part of that capital cost may then be assessed under the Local Improvement Act. Lands deriving a deferred benefit may be included as well as those deriving immediate benefit.
		(17) Council may also establish a sewage service rate, notwithstanding the work may have been constructed under the Local Improvement Act.
- public utility commission	Municipal Act 220	219 Owners of buildings may be required by by-law to connect their buildings with the sewage works.
	Ontario Water Resources Act (Environment)	The management of a sewerage system may be entrusted to a public utility commission.
		24-32 No sewage works may be constructed or enlarged without a prior permit from the Ministry. Before a municipality extends a sewage works into an adjoining territory, the Minister will hold a public hearing. Application may be made to the O.M.B. for an order for needed road closings, etc. Agreements may be made between the municipalities for the use of the sewage works. The O.M.B. may order an amendment to an O.P. or zoning by-law to permit the use of land for sewage works. Sewage works must always be maintained to the satisfaction of the Ministry.
- project		34 Municipalities may apply to have the Minister build and operate a sewage works as a project.
		43 A public sewage service area may be designated by the Ministry and conditions may be imposed in order to regulate, provide or require sewage service in the area.
- boats		44 The Minister may make regulations relating to sewerage, etc. (see Regulation E.P.A. 305: pleasure boat sewage discharge).
		51,52 An industrial or commercial enterprise may be required by the Ministry to install necessary sewerage facilities and any discharge into sewage works may be prohibited or regulated.
- loans, grants	National Housing Act Part VIII	50 C.M.H.C. may make loans to assist in the construction or expansion of a sewage treatment project. (Maximum 2/3 of the cost). Alternatively, a grant may be made, not exceeding 25% of the amount of the loan which could have been made.
- regional plan		52 C.M.H.C. may subsidize up to 50% of the cost of preparing a comprehensive regional sewerage plan.
	see also LOCAL IMPROVEMENT; PUBLIC UTILITIES; PUBLIC HEALTH; COMMUNITY IMPROVEMENT	
SHOP	Occupational Health and Safety Act 1(25)	"Shop" means a building, booth or stall or a part of such building, booth or stall where goods are handled, exposed or offered for sale or where services are offered for sale.
	see also EARLY CLOSING BY-LAWS	
Shopping area - beautification	see BUSINESS IMPROVEMENT AREA	
Shoreland	see BEACHES AND SHORES	
SIDEWALKS	Public Transportation & Highway Improvement Act	106 A local municipality may construct sidewalks and other improvements with the written consent of the authority having jurisdiction over the road. The cost may be borne out of general funds or by local improvement or be paid by the authority having jurisdiction.
- local improvement	see also HIGHWAY - county road	
SIGNS	Municipal Act 210 (141-144)	Council may prohibit or regulate signs and may require that non-complying signs be removed.
		Provision may be made for temporary signs, to be removed after a stated period.
		Minor variances from sign by-laws may be granted by the Municipal Council.
	Municipal Act 309(3)	Council may permit signs to project over the sidewalk.
	Public Transportation & Highway Improvement Act 34,38	The Minister has authority to control signing on property within 400 metres of a provincial highway. (See the ministry's "Sign Control Policy for Field Advertising and Location Signs").

Subject	Reference	Description and Notes
	Building Code Act O. Reg. 925/75 see also TOURIST ESTABLISHMENTS; HIGHWAYS - gas pumps, - signs; OBSTRUCTION OF VIEW	Section 3.7 deals with structural and safety requirements for signs. Overhanging signs must be at least 8 feet clear of a sidewalk.
Site Plan Control	P.A. 40(2)(3)	
Site plan agreement	see AGREEMENTS; P.A. 40(7)(c)	
SITE PLANNING	Canada Mortgage and Housing Corporation see also BUILDING CODE - Ontario Building Code, Part 9	C.M.H.C.'s "Site Planning Criteria" contains requirements applied in the review of applications submitted under The National Housing Act, as well as recommended standards designed to contribute to good project design. It includes criteria and standards relating to such matters as housing location relative to other uses, amenity areas and privacy zones for multiple housing, planting and public open space, parking area design, etc.
SLAUGHTERHOUSES	Municipal Act 210(34) see also PUBLIC HEALTH - SCHEDULE B; RENDERING PLANT	Council may prohibit or regulate and inspect slaughterhouses and may prohibit anyone other than a farmer from slaughtering animals on his own premises.
Snowmobile	see MOTORIZED SNOW VEHICLES	
Snowplowing- private road	see PRIVATE ROAD - snowplowing	
Snow road	see FENCES	
Soil stripping	see TOPSOIL REMOVAL	
Solar access	see ACCESS TO LIGHT AND AIR	
Solid waste	see LANDFILL	
Special Care Homes	see HEALTH AND SOCIAL SERVICE INSTITUTIONS - home for special care	
SPILL	Environmental Protection Act 79-112	Part IX of the Act deals with the abnormal discharge of a pollutant into the natural environment and with the prevention, clean-up and restoration of the natural environment. It also deals with liability for loss or damage arising out of a spill and with liability for the costs and expense of prevention, clean-up and restoration.
Stables	see GARAGES	
STATUTE LABOUR	Statute Labour Act 3,4 (Transportation and Communications and Intergovernmental Affairs)	Applies in every township that has not passed a by-law abolishing statute labour. Every person on the assessment roll is liable to days of statute labour in proportion to his assessment. It may be commuted at not more than \$3 per day. In unincorporated areas, road commissioners may be elected for statute labour purposes and to open roads.
Stock-car racing	see MOTOR VEHICLE RACING	
Stop order	see CONTROL ORDER	
Strata plan	see CONDOMINIUM	
STRATEGIC LAND USE PLAN		The Ministry of Natural Resources is preparing a series of plans stating in very broad terms how it wishes to use or influence the use of Crown land to meet its objectives. In southern Ontario a strategic land use plan is called a "Co-ordinated Program Strategy" to differentiate it from a land use plan prepared by a municipality. Three existing strategies cover southern Ontario, the north-east and the north-west. Individual plans or strategies will cover each district within these areas.
Street	see LOCAL IMPROVEMENT ACT; HIGHWAY; ROADS...	
Street Lighting	see HYDRO-ELECTRIC POWER; LOCAL IMPROVEMENTS	
STREET NAMES	Municipal Act 210(105)	Council may name streets and change their names, by by-law, and may affix the names at street corners on public or private property.
Student housing	see HOUSING -	

S

Subject

Reference

Description and Notes

Subdivision agreement	P.A. 40(7)(c), 40(8)(b), 40(10); Municipal Act 166	A model subdivision agreement for a small municipality has been prepared by the Local Planning Policy Branch of the Ministry of Housing in 1979.
Subdivision control	P.A. 49(3)	"Subdivision Control in Registered Plans" available from the Ontario Government Bookstore for \$2.00 discusses deeming and part-lot control.
SUBDIVISION PLAN	Surveys Act (53) (Natural Resources) see also P.A. 50; PUBLIC LANDS - subdivision; REGISTERED PLAN	In this Act, a "plan of subdivision" means a plan of subdivision that is registered under the Land Titles Act or under the Registry Act.
SUBDIVISION PLAN AREA - restraining order	Registry Act 86 (Consumer & Commercial Relations)	The Director of Land Registration may issue a "Restraining Order" designating any area of land as a "subdivision plan area" and thereupon no land may be conveyed except in compliance with subsection 3 of Section 49 of the Planning Act.
SUBDIVISION ROAD SUBSIDY	Public Transportation & Highway Improvement Act 82	In general, the construction of new roads in subdivisions is not subsidized, since the developer normally builds these roads. However, in exceptional circumstances, a road may be designated as a main traffic artery and the municipality's expenditure may be eligible for subsidy.
Suburban road	see HIGHWAY -	
Suburban subdivision road rate	see HIGHWAY - township road	
Summer camp	see PUBLIC HEALTH - camps	
SWIMMING POOLS - fences - zoning - public pools	Municipal Act 210(23) Planning Act 34 Public Health Act 9(36)	Council may pass a by-law to require fencing of private outdoor swimming pools. A pool is a struture and is regulated as such in several municipal zoning by-laws. The Minister may make regulations regarding location, maintenance, use, etc.

Subject	Reference	Description and Notes
Tannery	see INDUSTRIAL NUISANCE	
Tax arrears	see LANDS IN TAX ARREARS	
Taxation	see ASSESSMENT; PROVINCIAL LAND TAX	
TELEPHONE	Telephone Act (Transportation and Communications)	This Act applies to municipal subscriber-owned systems, public utility telephone systems and privately-owned industrial telephone companies, other than Bell Telephone.
Temporary use by-law	P.A. 38	
TERMITE CONTROL	Municipal Act 210(173,174)	
Territorial division	see BOUNDARIES	
Tertiary road	see HIGHWAY -	
Tile Drainage	see DRAINAGE	
Timber	see Trees	
TOP SOIL REMOVAL	Topsoil Preservation Act (Agriculture and Food)	1(b) "Topsoil" means that horizon in a soil profile, known as the "A" horizon, containing organic material. 2 Councils of municipalities may pass by-laws regulating or prohibiting the removal of topsoil, and providing for the issuance of permits and requiring rehabilitation of lands from which topsoil has been removed. These by-laws do not apply to agricultural operations, sod farming, or the removal of topsoil incidental to activities authorized under the Pits and Quarries Act, the Mining Act, etc. and they may not be used to inhibit construction of development specifically permitted under the Planning Act, the Parkway Belt Planning and Development Act or the Niagara Escarpment Planning and Development Act.
TOPOGRAPHIC MAPS	see also ONTARIO CO-ORDINATE SYSTEM	The Ontario Basic Mapping Program is established to provide simple, generally unannotated maps on the grid system chosen by the Ontario Government for geographical referencing purposes (M.N.R.: telephone 965-1208).
TOURIST ESTABLISHMENTS	Tourism Act (Tourism & Recreation)	1(i) "Tourist establishment" means any premises operated to provide sleeping accommodation for the travelling public or sleeping accommodation for the use of the public engaging in recreational activities, and includes the services and facilities in connection with which sleeping accommodation is provided, but does not include: - i a camp operated by a charitable corporation approved under The Charitable Institutions Act, or ii a summer camp within the meaning of the regulations made under the Public Health Act, or iii a club owned by its members and operated without profit or gain. 3 No tourist establishment may be constructed or altered without a permit which must conform with the regulations. An annual licence is also required for all establishments. 12 No sign may be displayed which does not comply with the regulations. 16 The Minister may make regulations regarding...the content of signs respecting tourist facilities, governing the plans and specifications of tourist establishments, etc.
- signs		
- tourist camps	see TRAILER AND TOURIST CAMP AND MOTELS	
Townsend community	see ONTARIO LAND CORPORATION	
Township road	see HIGHWAY -	
TRAFFIC	Municipal Act 210(117) Highway Traffic Act	Council may prohibit heavy traffic as defined in the by-law. 169 A by-law for regulating traffic must be filed with the Ministry. If it affects traffic on a connecting link, it must be approved by the Ministry. 97-108 Heavy vehicles may be caused to obtain a permit to use certain roads.
TRAILERS (Mobile homes)	Education Act	227 "Trailer" and "Trailer Camp" or "Trailer Park" are defined but the definition includes a vehicle more properly called a "mobile home" (See MOBILE HOME herein).

T

Subject

Reference

Description and Notes

- school fees

A municipality which collects licence fees from "trailers" must pay a proportion of those fees to the school boards, in the same proportion as school taxes bear to total taxes. This does not apply to municipally operated "trailer camps".

228 In unorganized territory, a fee of \$5 per month is payable by a trailer occupant to the local public or separate school board, except in July and August and \$5 per month is payable to the secondary school board. No fee is payable if the "trailer" is assessed under the Assessment Act.

TRAILER AND TOURIST
CAMPS AND MOTELS

Municipal Act 232(15)

Council may regulate and license tourist camps, trailer camps and motels. Minimum trailer lot sizes may be prescribed. Licence fees not exceeding \$20 per month per lot may be charged, unless the lot is occupied temporarily by people whose normal place of residence is elsewhere, or unless the trailer is assessed.

Municipal Act 210

95 A trailer is defined as any vehicle so constructed that it is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle, and capable of being used for the living, sleeping or eating accommodation of persons, notwithstanding that such vehicle is jacked-up or that its running gear is removed.

- licences

Trailers may be licensed for a fee not exceeding \$20 per month, provided they are not assessed under The Assessment Act.

- municipal trailer
camps

96 Municipal trailer camps may be established, fees may be charged and the corporation must reimburse the school boards for each pupil residing in a trailer.

TRAILERS
(Tow trailers)

Highway Traffic
Act 1(1)38

Note that this definition includes a boat trailer, skidoo trailer, u-haul, etc. but NOT a mobile home.

"Trailer" means a vehicle that is at any time drawn upon a highway by a motor vehicle, except an implement of husbandry, a mobile home, another motor vehicle or any device or apparatus not designed to transport persons or property, temporarily drawn, propelled or moved upon such highway, and except a side car attached to a motorcycle, and shall be considered a separate vehicle and not part of the motor vehicle by which it is drawn.

TRANSIENT
ACCOMMODATION

Retail Sales Tax Act 1(24)
(Revenue)

"Transient accommodation" means the provision of lodging in hotels, motels, hostels, apartment houses, lodging houses, boarding houses, clubs and other similar accommodation, whether or not a membership is required for the lodging, but does not include lodging let for a continuous period of one month or more or lodging in a lodging house, rooming house, or boarding house, if such house has accommodation for fewer than four tenants.

TRANSMISSION LINE

Ontario Energy Board
Act 1(21)
(Energy)

"Transmission line" means a pipe line, other than a production line, a distribution line, a pipeline within an oil refinery, oil or petroleum storage depot, chemical processing plant, or pipeline terminal or station.

TRANSMISSION POLES,
WIRES

Municipal Act 210(108) and
(111)

Council may regulate the erection and maintenance of poles, wires, cables, etc. on highways and public places. This does not, however, confer a power of taxation. (See Coaxial Colourview Ltd. et al vs Borough of Scarborough, 1974).

see also HYDRO-ELECTRIC
POWER

Transportation

see PUBLIC TRANSPORTATION;
RAPID TRANSIT; COMMUTER
SERVICES; HIGHWAY

TREES

Forestry Act
(Natural Resources)

Provides for furnishing trees to individuals and municipalities and agreements for the Crown to manage forest lands. (Agreement forest).

Public Transportation &
Highway Improvement Act

30 The Ministry may plant trees upon the King's Highway and charge the cost to maintenance. No person may destroy or injure any tree within the limits of a highway, except with the Ministry's consent. The Ministry may subsidize tree planting adjoining a highway.

- obstructions

34 and
38(2)b

No person may place a tree or shrub within 45 metres of a King's Highway or a controlled access highway or 180 metres of an intersection except under permit from the Minister.

107

A municipality or suburban roads commission may plant trees on its roads and charge the cost to maintenance.

Municipal Act 313

Council may authorize the planting of trees on highways and subsidize such planting by individuals.

Subject	Reference	Description and Notes
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Trespass AND OWNER'S LIABILITY	Conservation Authorities Act (Natural Resources)	21(o) A Conservation Authority is empowered to plant and produce trees on Crown or other lands.
	Trees Act (Natural Resources)	The general purpose of this Act is to prevent the destruction of trees in the agricultural areas of Ontario.
		2 Trees planted on a lot boundary are common property of adjoining owners.
		4 County council or council of a separated municipality may regulate and restrict the cutting of trees, with the Minister's written approval.
		5 A number of exceptions are cited to the application of section 4. One of these is that it does not affect the destruction of trees in order to erect a building for which a building permit has been issued.
	Crown Timber Act (Natural Resources)	7-12 Councils may acquire and maintain land for forestry purposes and may encourage reforestation on private property by granting exemption from general taxation and by planting and fencing at municipal expense.
	see also PUBLIC LANDS -; LOCAL IMPROVEMENTS; OBSTRUCTION OF VIEW; WOODLANDS; P.A. 40(7)(a)6	This Act deals with the sale of Crown timber, the issuance of licences to cut Crown timber, the requirements for forest management plans, operating plans, annual plans and inventories, the licensing of mills, etc.
	Trespass to Property Act (Attorney General)	"Urban Tree and Forest Legislation in Ontario" is a comprehensive work published in 1978 by the Great Lakes Forest Research Centre, Department of the Environment, Box 490, Sault Ste. Marie, Ontario P6A 5M7.
	Occupier's Liability Act (Attorney General)	These Acts set out the basic duty of care for landowners, requiring them to do what is reasonable in all circumstances to see that persons entering their property are not injured by the conditions of the premises or by the activities on the premises. However, provisions are included to protect owners wishing to permit recreational use of their property.

U

Subject

Reference

Description and Notes

Underground wiring	see HYDRO-ELECTRIC POWER -; TRANSMISSION POLES, WIRES	
UNORGANIZED TERRITORY	Public Hospital Act 1(t)	In this Act "unorganized territory" means those parts of Ontario that are without municipal organization, including Indian reservations and provincial parks, but not including property of the Government of Canada used for the purposes of national defence installations, camps or stations.
	Municipal Act 1.26	"Unorganized territory" means that part of Ontario without county organization.
- roads	Public Transportation and Highway Improvement Act 91	The Minister may arrange with a local roads board or with road commissioners or a landowner to construct and maintain a road in unorganized territory.
	Municipal Act 319	1 Road allowances in unorganized territory are Crown Land. The Lieutenant Governor in Council (i.e. Cabinet) may close, alter, divert, sell or lease them.
- assessment	Provincial Land Tax Act (Revenue)	This Act deals with the assessment and taxation of all land situated in territory without municipal organization.
- exempt lands		3 Categories of exempt lands are described (similar to exempt properties under the Assessment Act).
- assessed value		4 The assessed value of land for the purposes of the Act is the price that it might be expected to bring if offered for sale on the open market by a person who is solvent.
- Provincial Land Tax Register		6 Assessment information on unorganized territory is kept in the Provincial Land Tax Register.
- building permit		The requirement for a permit under the Building Code Act does not apply in unorganized territory.
- mobile homes		A guideline is available from the Ontario Government Bookstore to assist planning boards enforce the mobile home provisions of the Planning Act in unorganized territories: "Mobile Homes in Unorganized Territories".
	see also PUBLIC HEALTH -; LOCAL ROADS BOARD: P.A. 19 & 22; PUBLIC LAND - restricted area: SCHOOLS - ; COMMUNITY CENTRE -	
UNSAFE BUILDINGS	see BUILDING CODE - abandoned buildings	
Urban design	see BUSINESS IMPROVEMENT AREAS	
Urban drainage	see DRAINAGE	
URBAN RENEWAL	National Housing Act Part III	22 "Urban renewal area" means a blighted or substandard area of a municipality for which the government of the province in which the area is located has approved the implementation of an urban renewal scheme.
- area		"Urban renewal scheme" means a scheme for the renewal of a blighted or substandard area of a municipality that includes:
- scheme		(a) a plan designating the buildings and works in the area that are to be acquired and cleared by the municipality in connection with the scheme and for making available to persons dispossessed of housing accommodation by such acquisition or clearance, decent, safe and sanitary housing accommodation at rentals that, in the opinion of the Corporation, are fair and reasonable having regard to the incomes of the persons to be dispossessed,
		(b) a plan describing the proposed street pattern and land use for the area, and the program for the construction or improvement in the area of municipal services, schools, parks, playgrounds, community buildings and other public facilities,
		(c) a description of the methods planned for municipal direction and control of the use of land in the area, including zoning building controls and standards of occupancy of buildings in the area,
		(d) a description of the methods planned for the improvement, rehabilitation or replacement of privately owned facilities including housing accommodation, that will continue in the area, and the techniques planned for retarding such facilities from becoming substandard, and
		(e) the estimated costs of the scheme, and that will be developed in accordance or in harmony with an official community plan.

Subject	Reference	Description and Notes
- cost sharing		<p>23 C.M.H.C. may enter into an agreement with a province or municipality to pay one half the cost of preparing an urban renewal scheme.</p> <p>24,25 C.M.H.C. may enter into an agreement to pay one half the cost of implementing an urban renewal scheme, and may in addition make a loan for up to two-thirds of the remaining actual cost of implementation.</p> <p>25.1 Federal urban renewal funding has been cut off for all projects except those underway prior to February 1, 1973.</p>
	<p>see also P.A. 28-32; Maintenance and occupancy standards; COMMUNITY IMPROVEMENT</p>	
URBAN SERVICE AREA	Municipal Act 14(12)	<p>The O.M.B. may define urban services and cost of urban services and may establish urban service areas in a municipality enlarged by annexation or amalgamation. The Board may determine how the cost of providing urban services is to be distributed on lands in the municipality.</p>
Urban transit Service area	see PUBLIC TRANSPORTATION	
Utilities	see PUBLIC UTILITIES	
UTILITY LINE	<p>Ontario Energy Board Act 1(23) (Energy)</p>	<p>"Utility line" means a pipeline, a telephone, telegraph, electric power or water line, or any other line that supplies a service or commodity to the public.</p>

V

Subject

Reference

Description and Notes

VACANT LAND CONDOMINIUM

Condominium Act 3(1) and 4(1)(e)
(Consumer and Commercial Relations)

The existing legislation does not allow this form of development. The Condominium Act requires a declaration which must contain a description, including a certificate of a surveyor that the buildings have been constructed.

VALIDATION OF LOTS

P.A. 56

A pamphlet entitled "Validation Guidelines" has been produced by the Ministry of Municipal Affairs and Housing. It pertains to lots created in contravention of the Planning Act prior to March 19, 1976.

VEHICLE

Highway Traffic Act 1(1)39

"Vehicle" includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but doesn not include a motorized snow vehicle or the cars or electric or steam railways running only upon rails.

Veteran's Housing

see HOUSING

VETERANS' LAND

Veteran's Land Act
(Federal - Veterans' Affairs)

Designed to assist war veterans to settle as full or part-time farmers or as commercial fishermen, this Act provides financial assistance to qualified veterans. The minimum lot area quoted in the Veterans' Land Regulations is one half acre, which may in some cases be reduced by 20%.

Visual pollution

see AESTHETICS

Vocational Schools

see SCHOOLS -

Subject	Reference	Description and Notes
Walkways	P.A. 40(7)(a)4; see also BICYCLE AND FOOTPATHS	
Waste disposal sites	see WASTE MANAGEMENT	
WASTE MANAGEMENT	Environmental Protection Act Part V	<p>24 "Waste" includes ashes, garbage, refuse, domestic waste, industrial waste, municipal refuse, etc.</p> <p>26-27 No waste management system or waste disposal site may be established or enlarged without a certificate of approval.</p> <p>28 No money may be spent by any municipality for waste disposal without a certificate of approval.</p> <p>29 The Minister may tell a municipality to institute a waste collection or management system.</p> <p>30-31 Where a waste disposal site application involves considerable industrial waste, a public hearing must be held by the Ministry unless the situation is deemed an emergency.</p> <p>34 No certificate of approval may be issued unless the applicant deposits sufficient funds to ensure satisfactory maintenance of the site or system. Municipal waste disposal sites and systems may also be subject to public hearings.</p> <p>39 No waste may be deposited except on a waste disposal site.</p> <p>46 Reference is also made to waste disposal wells and to compensation for pollution through such wells.</p>
- waste disposal wells		
- types of waste	Regulation 309 (E.P.A.)	<p>2,3 The following types of waste are defined: agricultural wastes, condemned animals, derelict motor vehicles, hauled liquid industrial waste, hauled sewage hazardous waste, incinerator waste, inert fill, processed organic waste and rock fill or mill tailings from a mine.</p> <p>4 The following types of waste disposal sites are listed and described: composting sites, derelict motor vehicle sites, dumps, grinding sites, incineration sites, landfilling sites, on-site incinerators, on-site garbage grinders, organic soil conditioning sites, packing and baling sites and transfer stations.</p> <p>6 The following waste management systems are classified: municipal waste management systems, private waste management systems, individual collection systems, hauled liquid and hazardous waste collection systems, marine craft waste disposal systems and organic waste management systems.</p> <p>8-13 Standards are prescribed for land-filling sites, incineration sites, dumps, organic soil conditioning sites, derelict motor vehicle sites and waste management systems.</p>
- waste disposal sites		
- waste management systems		
- standards		
- area rate	Municipal Act 210	<p>83-85 Council may establish a system of garbage collection and disposal, with the approval of the Ministry of Health, and may acquire land for a disposal site in another municipality, by agreement or else with O.M.B. approval, and may levy a special rate for garbage disposal purposes.</p> <p>129 Council may prohibit or regulate and inspect garbage dumps or waste disposal areas of any kind. (This authority is not abrogated by the Environmental Protection Act, see <i>Raes vs Township of Plympton</i>, 1971).</p>
- garbage dumps		
WATER CANALS IN SUBDIVISIONS	Municipal Act 216	Council may accept conveyance of lands in registered plans of subdivision for water canals and may maintain these canals. The cost of maintenance may be apportioned on surrounding property. The use of the canals may be regulated and boat speed limits may be set. Abutting owners may be permitted to construct docks or slips and may be charged an annual fee.
Water control	see CONSERVATION; DRAINAGE; PUBLIC LANDS	
Water management	see CONSERVATION (NATURAL ENVIRONMENT)	
Water pollution	see WATER QUALITY	
Water privilege	see LAKES AND RIVERS -	
WATER QUALITY	Ontario Water Resources Act 14-18 (Environment)	<p>The quality of water may be deemed to be impaired if any material discharged in it may cause injury to any living thing (14). The Minister of the Environment supervises all surface and ground waters. If the quality of a water body is being impaired the Minister may apply for an injunction to prohibit the discharge (15). Pollution of a water body is punishable by a fine of up to \$5,000 for a first offence (16). The discharge of any sewage into any water body may be prohibited or regulated (17), and the Ministry may order that necessary equipment be used to alleviate pollution.</p>

Subject

Reference

Description and Notes

	see also SPILL		
- pollution of fish	Fisheries Act 33, 34 (Environment Canada)		The Minister has authority to review the plans for any works that could result in the deposit of deleterious substances in water frequented by fish.
- pollution from vessels	Canada Shipping Act (Transport Canada)		This Act and its regulations provide for the control of pollution from vessels, as determined to be necessary to fulfill Annexes 4 and 5 of the Great Lakes Water Quality Agreement.
	Environmental Contaminants Act (Environment Canada)		This Act is intended to permit regulation of any substance suspected to constitute a danger to human health or the environment. Regulations have not yet been proclaimed but some are being developed for polychlorinated biphenols (PCB's).
	Canada Water Act (Environment Canada)		Designed to permit research, planning and implementation programs for the conservation, development and use of Canadian Water resources through formal agreements with the provinces, this Act has to date only introduced a regulation controlling the phosphorus content in detergents.
	see also PUBLIC HEALTH; LAKES AND RIVERS		
Water resources	see WATER QUALITY; WATERWORKS		
WATER SUPPLY	Ontario Water Resources Act 19, 20		An area may be defined that includes a source of public water supply and no person may swim in it, impair its quality or diminish the amount available. All large water users (over 50,000 litres per day) must obtain a permit from the Ministry. This does not apply to farm or domestic purposes.
	see also WELLS; PUBLIC UTILITIES		
Waterways	see NAVIGABLE WATERS; LAKES AND RIVERS; PROVINCIAL PARKS - classification		
WATERWORKS	Ontario Water Resources Act	23	No waterworks may be started or enlarged without the prior approval of the Ministry.
- projects		34-35	A municipality may apply to the Minister to have him (her) provide and operate its waterworks as a project.
- rate		36	Subject to O.M.B. approval, a waterworks rate and a water service rate may be imposed.
- service area		43	A public water service area may be designated by the Ministry and conditions may be imposed by order to regulate, control, prohibit or provide water service.
- loans, grants	National Housing Act (C.M.H.C.)	50	C.M.H.C. may make loans to any province or municipality for the construction or expansion of water supply systems, in order to encourage comprehensive land use and residential development in previously undeveloped areas. (Maximum 2/3 of the cost). Alternatively, a grant may be made, not exceeding 25% of the amount of the loan which could have been made.
- regional plan		52	C.M.H.C. may subsidize up to 50% of the cost of preparing a comprehensive regional water supply plan.
	see also PUBLIC UTILITIES; PUBLIC HEALTH; COMMUNITY IMPROVEMENT; REGIONAL MUNICIPALITIES		
Wayside pits	see PITS AND QUARRIES		
WEED CONTROL	Weed Control Act (Agriculture and Food)	6,8	Every county, district and regional municipality must appoint an area weed inspector. Other municipalities may appoint a municipal weed inspector.
- entry on private property		10	For the purpose of searching for noxious weeds, an inspector may enter at any time between sunrise and sunset upon any land and building other than a dwelling house.
		11	An inspector may order the destruction of noxious weeds and the owner must comply. Provision is made for appeal procedures.
		13	If the owner fails to comply, the inspector may destroy the weeds and charge the owner on his tax bill.

Subject	Reference	Description and Notes
- subdivided areas		<p>14 A municipality may direct its inspector to destroy the weeds on any subdivided property and may recover the cost from the owners in the same manner as taxes.</p> <p>20 Sections 11 and 14 do not apply to lands so far distant from any agricultural or horticultural use that the weeds would have no material effect on those uses.</p> <p>22 Provision is made for provincial regulations and subsidies.</p>
WELLS	Ontario Water Resources Act O/Reg. 739	<p>20(7) Leaking wells may be regulated by the Ministry.</p> <p>21(1)(f) "well" means a hole made in the ground to locate or to obtain ground water or to test or to obtain information in respect of ground water or an aquifer, and includes a spring around or in which works are made or equipment is installed for collection or transmission of water and that is or is likely to be used as a source of water for human consumption.</p> <p>22 In designated areas, a permit is required before a well may be dug. It may be refused for a number of reasons.</p>
WETLAND	Municipal Act 210 (75,82)	<p>Council may pass a by-law to purchase wetland in the municipality and to drain it. Land may also be purchased in an adjoining municipality to prevent flooding.</p>
WILDERNESS AREAS	Wilderness Areas Act (Natural Resources)	<p>2 Cabinet may set aside wilderness areas, which are under control of the Minister.</p> <p>3 Nothing in this Act limits the utilization of the natural resources in a wilderness area of more than 260 hectares.</p> <p>7,8 Regulations may be made for any wilderness area. Contraventions are subject to fines of up to \$500.</p>
	see also PROVINCIAL PARK - classification	
Wiring	see also HYDRO-ELECTRIC POWER - underground wiring	
WOODEN BUILDINGS	Municipal Act 210 (32)	<p>Council may prohibit the erection of wooden buildings or wooden additions or fences or the removal of such structures from one place to another.</p>
WOODLANDS	Woodlands Improvement Act (Natural Resources)	<p>1 "Woodlands" means lands having at least 1,000 trees per hectare of all sizes or at least 750 trees per hectare over 5 cm in diameter or at least 500 trees per hectare over 12.5 cm in diameter or at least 250 trees per hectare, measuring over 20 cm in diameter, but does not include a plantation established for the purpose of producing Christmas trees.</p> <p>2 The Minister may enter into agreements with owners of suitable lands in a private forest management area for the planting of nursery stock and improvement of woodlands.</p> <p>3 Cabinet may make regulations designating parts of Ontario as private forest management areas.</p>
	Assessment Act 18(7)(8)	<p>The assessed value of woodlands is not influenced by the presence or removal of trees.</p>
	see also TREES	
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Z

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Zoning by-law

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AMALGAMATION - zoning

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Zoning on county
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Zoning orders

P.A. 47; see also
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Guidelines on the administration of zoning orders in
unorganized territories were published by the Operations
Control Branch, Ministry of Municipal Affairs and Housing,
in September, 1981.

Zoning plans on
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see PUBLIC LANDS - zones

a planner's reference

was prepared by:

Research and Special Projects Branch
Director
Bill Mackay

Section Manager
Sid Clarke

Senior Planner
Pierre Beeckmans
585-6257

TR
-P46



Ontario

Ministry of
Municipal Affairs
and Housing

1985

a planner's reference

*to legislation
provincial policies
and guidelines*

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Foreword to fifth edition

Relatively few changes have occurred since the last edition of the Planner's Reference was published in October of 1983. However, since the 1983 edition was sold out, an updated version has been prepared within less than two years, rather than merely re-printing the earlier version.

As before, comments from users on changes or improvements which should be made in future editions of this document will be gratefully received and should be addressed to:

Director
Research and Special Projects Branch
Ministry of Municipal Affairs and Housing
777 Bay Street
13th Floor
Toronto, Ontario
M5G 2E5

June, 1985

Caution

This reference manual is intended to assist you in finding legislation pertinent to various planning topics. It should not be used as a substitute for the legislation itself; neither should the comments be quoted as being necessarily expressions of government policy or interpretations with official status.

A planner's reference to legislation in Ontario

Purpose

It is assumed that anyone active in planning in Ontario would have a copy of the Planning Act to hand and would be reasonably familiar with it. However, many planning and development matters are affected by statutes other than the Planning Act and this document is intended to assist a planner in finding relevant information or in refreshing his/her memory as to its general content. It is not intended to give a comprehensive, detailed record of each of the pertinent items of legislation; reference should be made to the statutes for that purpose. Any planner dealing in depth with a topic would obviously be expected to use the source documents for information. This reference work is intended primarily for the generalist who may be called upon to respond to a variety of municipal planning or related problems and yet lacks either wide and varied experience or a photographic memory, or both.

Content

Urban and regional planners get involved in a great variety of topics and this document includes references to a correspondingly wide spectrum of legislative provisions. Some of them may appear quite esoteric but are included because, in some way, they may be relevant to the control of some feature of our environment in the broad sense.

The bulk of the references are to the Ontario statutes but relevant federal statutes are also included. In addition, where a government policy has been formulated or where a government agency has produced guidelines or particularly useful explanatory material on a referenced topic, this information is noted.

Publications

Enquiries regarding the availability of referenced publications should be directed to the responsible ministry unless it is specifically stated that they are available from the Ontario Government Bookstore.

How to use the planner's reference

The material is gathered in alphabetical order by topic but some items may appear as sub-topics (in lower case) of a main entry (in capitals).

E.G. "Low rental housing" is a sub-heading under "HOUSING". A cross-reference appears under "L", both in the index and the main body of the text:

Low rental housing

see HOUSING -

The dash after HOUSING indicates that the title in the left-hand column appears as a sub-heading of HOUSING.

If the cross-reference in the index starts with the words "see also", the user should first seek the item listed in the left-hand column and, in addition, should refer to the "see also" item.

This reference work was designed to serve people already familiar with the Planning Act. It was nevertheless found convenient to include index reference to this Act, which appears abbreviated as P.A.

The abbreviated name of the ministry responsible for administering the legislation referred to is sometimes shown in brackets after the name of the Act. It is omitted, however, where that information is considered obvious or repetitious. (The Planning Act, the Ontario Planning and Development Act and the Municipal Act are administered by the Ministry of Municipal Affairs and Housing.)

All references are to the Revised Statutes of Ontario unless otherwise stated.

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Abandoned Buildings	see BUILDING CODE	
ABANDONED MOTOR VEHICLES	Environmental Protection Act, 48-61	An abandoned vehicle may be removed by a police officer or a designated provincial officer to an abandoned motor vehicle site. The owner must be notified that he has thirty days to claim the vehicle. If he does not receive notice, the owner may claim compensation.
- derelict motor vehicle	48(a)	"Abandoned motor vehicle" means a vehicle that has been left unattended without lawful authority and that appears to an officer, by reason of its age, appearance, mechanical condition or lack of licence plates, to be abandoned.
	1.7a	"Derelict motor vehicle" is defined as a motor vehicle that, <ol style="list-style-type: none"> is inoperable; and has no market value as a means of transportation or, has a market value as a means of transportation that is less than the cost of repairs required to put it into operable condition. <p>Approval of derelict motor vehicle sites has been delegated by the Ministry of the Environment to the municipalities. A model by-law has been prepared by the Waste Management Branch of the ministry.</p> <p>If an orchard has been designated by the Provincial Entomologist as a neglected orchard, or if no fruit has been produced on it for sale for two consecutive growing seasons, an orchard may be termed to be an "abandoned orchard" and the owner is then obliged to destroy all fruit trees in it.</p> <p>This Act only applies to orchards located within 275 metres of a commercial orchard.</p>
ABANDONED ORCHARD	Abandoned Orchards Act (Agriculture and Food)	
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Access road	see MOTOR VEHICLE ACCESS TO PROPERTY; FIRE MATTERS - access route; PROVINCIAL PARK -	
ACCESS TO LIGHT AND AIR	Limitations Act 33 (Attorney General)	Generally speaking, a landowner is only entitled to light and air from the vertical column of space above his own property. Rights over neighbouring property may be acquired by agreement in writing.
		A legal discussion on this subject is contained in "Perspectives on Access to Sunlight" published by the Ontario Ministry of Energy in 1980.
Access to private property	see ENTRY ON PRIVATE PROPERTY; HYDRO-ELECTRIC POWER; PUBLIC WORKS; PUBLIC HEALTH; MOTOR VEHICLE ACCESS TO PROPERTY;	
	HIGHWAY - access to property	
Action to restrain contravention of by-law	see ENFORCEMENT OF BY-LAWS	
ADULT ENTERTAINMENT	Municipal Act 222 Theatres Act 16(2) see also BODY RUB PARLOURS	"Adult entertainment parlour" is defined. Council may pass a by-law to define the areas in which adult entertainment parlours may be located and may limit their number and regulate their hours of operation.
Aesthetics	see SIGNS; BUSINESS IMPROVEMENT AREAS...; P.A. 40; LAKES AND RIVERS -	
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AGREEMENTS	Municipal Act 200, 325 see also: Subdivision agreement; CONDOMINIUM - maintenance agreement; P.A. 40(7)(c) - site plan agreement.	A municipal corporation has a right to enforce a contract or agreement. Council may pass a by-law to ensure that in case of default, the municipality may do the work and recover the cost through taxes.
Agricultural Code of Practice	see AGRICULTURAL POLLUTION	

A

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Description and Notes

Agricultural Development	P.A. 49(11) re A.R.D.A.	
AGRICULTURAL HOLDING	1981 census definition	An agricultural holding is defined as a farm, ranch or other agricultural holding with sales of agricultural products in the year 1980 of \$250 or more.
- foreign ownership	Non-resident Agricultural Land Interests Registration Act (Agriculture and Food)	Foreigners owning an interest in ten hectares or more of agricultural land must file a registration report. They are then liable to pay a land transfer tax.
	Land Transfer Tax Act (Revenue)	In order to plug a previously existing 'loop-hole', this Act now deems that a taxable disposition of land occurs when a corporation owning agricultural land in Ontario becomes non-resident. This prevents a non-resident from avoiding the 20% tax by purchasing shares in a company owning Ontario agricultural land.
AGRICULTURAL LAND	see also PUBLIC LANDS - public agricultural land committee	The Food Land Guidelines (1978) are a statement of provincial government policy. They are included to assist local municipalities, counties or regions in planning for agriculture in the preparation of official plans or amendments which may affect rural lands.
AGRICULTURAL POLLUTION		Refer to the Agricultural Code of Practice prepared jointly by the Ministry of Agriculture and Food, the Ministry of the Environment and the Ministry of Municipal Affairs and Housing (1976). It applies to livestock and poultry farms and includes minimum land areas for manure utilization, separation distances from dwellings, guidelines for regulating encroachment on established farms, methods to control water pollution, advice on the disposal of dead animals, etc.
AGRICULTURAL WASTE	Environmental Protection Act, Regulation 309	1.3 "Agricultural waste" means waste, other than sewage, resulting from farm operations, including animal husbandry and where a farm operation is carried on in respect to food packing, food preserving, animal slaughtering or meat packing, includes the waste from such operations.
AIR POLLUTION	Environmental Protection Act, 136 and 20-22	The Lt. Gov. in Council may make regulations relating to all manner of pollution. A compilation of existing regulations and guidelines was published by the Air Pollution Control Directorate in April 1981 Report: EPS 1-AP-81-1.
	Clean Air Act (Environment-Federal)	4. The Minister may formulate national ambient air quality objectives, which may be adopted by the provinces, and operate a system of air pollution monitoring stations throughout Canada.
		7. The federal government may prescribe specific and national emission standards for sources of air contaminants and may prosecute operators in contravention of the standards. National emission standards apply only to emissions constituting a significant danger to health or that would result in the violation of an international agreement. Specific emission standards may be prescribed when health, safety or welfare is threatened outside Canada. The federal government may also make regulations regarding the content of fuels. Regulations and national emission standards have been prescribed for leaded and lead-free gasoline, lead from secondary lead smelters, asbestos from asbestos mining and milling, mercury from mercury cell chlor-alkali plants, and vinyl chloride from vinyl chloride and polyvinyl chloride plants.
		8. The federal government may also publish national emission guidelines. Published guidelines to date relate to cement plants, asphalt paving plants, metallurgical coke manufacturing, arctic mining, pulp and paper plants, packaged incinerators, and thermal power plants.
Air space over highways	see HIGHWAY - use of space over	
AIRCRAFT NOISE		Refer to "New Housing and Airport Noise" a supplement to C.M.H.C.'s "Site Planning Criteria", and to the Ministry of Housing's "Land Use Policy Near Airports" (March 1978).
AIRPORT	Airports Act 1-4 (Transportation and Communications)	The provincial government may enter into agreements with a municipality, an individual and the federal government for the establishment or enlargement of an airport. The Minister may acquire, establish, operate and maintain airports; he may provide funds to a municipality or an individual for such purposes.
	Municipal Act 208(10)	A municipality may establish and operate an aerodrome within its boundaries or in adjoining territory.

Subject	Reference	Description and Notes
AIRPORT ZONING	Aeronautics Act (Transport-Federal)	In the vicinity of an airport, the Minister of Transport may regulate the height of buildings through a zoning plan, registered on title. Persons injuriously affected may recover compensation. Light, smoke and noise which could interfere with airport operations may also be prohibited. Planning guidelines for the use of land outside the airport property boundary are published by the Canadian Air Transportation Administration.
ANIMALS	Municipal Act 210(1-6) see also RENDERING PLANT, SLAUGHTERHOUSE	Council may prohibit or regulate the keeping of any class of animals or limit the number of animals kept in any defined area. ("Animal" includes birds and reptiles.) Establishments for the boarding or breeding of animals may be regulated.
ANNEXATION AND AMALGAMATION	Municipal Act - notice, hearing	14(2) Upon an application by a council, by the Minister, or by twenty-five inhabitants of an area, the Municipal Board may order the amalgamation of municipalities or the annexation of all or part of certain municipalities or areas to a municipality or from them to another municipality. (4) The Municipal Board, before making an order with regard to subsection 2, is required to give proper notice and hold a public hearing in order to inquire into the merits of the application and in order to hear any objections to it.
- official plan		(6) The by-law of a municipality, which authorizes an application for amalgamation or annexation under the provisions of this section, may not be invalidated on the ground that it conflicts with the official plan.
- zoning		18 Zoning by-laws in annexed areas remain in force until repealed by the annexing municipality.
	Municipal Boundary Negotiations Act (Intergov't. Affairs)	This Act provides a method by which municipalities may, by agreement, resolve annexation or amalgamation problems or resolve intermunicipal problems arising in respect of boundary-related issues. Upon application, the Minister appoints a fact-finder. If the fact-finder's report indicates agreement, the Minister may introduce legislation to implement the agreement. Otherwise, a negotiating committee may be formed.
	see also BOUNDARIES; URBAN SERVICES AREAS	
	Barrie - Innisfil Annexation Act, 1981	This Act implements a negotiated annexation. The City may not apply for further annexation within 30 years, except for certain lands, which may be applied for within 15 years.
Appeals	see PUBLIC PARTICIPATION - appeals	
Application fees	P.A. 68	Guideline 7 under the 1983 Planning Act is entitled "Planning Application Fees."
Archaeological preservation	see CONSERVATION (CULTURAL)	
Architectural preservation	see CONSERVATION (CULTURAL)	
AREA RATE		
- police	Police Act 22 see also BOUNDARIES; DRAINAGE -; IMPOSTS; LOCAL IMPROVEMENTS; PUBLIC TRANSPORTATION; PUBLIC UTILITIES -; RECREATION -; SEWERAGE -; WASTE MANAGEMENT -; WATERWORKS -; HYDRO-ELECTRIC POWER; BUSINESS IMPROVEMENT AREA; PARKING LOTS; TELEPHONE	Police costs may be met by levying rates that are different between areas defined by a township council or by levying rates in one or more of such areas only.
ASSESSMENT	Assessment Act (Revenue)	3 The following types of property are exempt from taxation; Federally or provincially owned land, Indian lands, churches, cemeteries, public or separate school buildings and grounds, universities, seminaries, public hospitals, charitable institutions, industrial farms, scouts and guides property, municipal property, public libraries, horticultural societies, exhibition buildings 4 Council may also by by-law exempt land owned by religious institutions and used for recreation. 7 In addition to land assessment, a sum computed as a percentage of the land assessment is charged as business assessment.
- property exempt from taxation		
- business assessment		

A

Subject

Reference

Description and Notes

- market value
- areas exempt from taxation
- golf course
- farmland

see also UNORGANIZED TERRITORY; CONDOMINIUM - assessment

Assessment, Environmental

see ENVIRONMENTAL ASSESSMENT

Assessment information for planning

P.A. 67

Assumption of highway by a municipality

see HIGHWAY - assumption

ASSUMPTION PLAN

Public Transportation and Highway Improvement Act 6

Auditorium

see PUBLIC HALL; RECREATION

Automated Recording and Property Mapping System

see LAND REGISTRATION

Automobile

see MOTOR VEHICLE, CAR WASH

Automobile service station

see SERVICE STATION

AUTOMOBILE WRECKING YARD

Municipal Act 210(130)

Highway Traffic Act 41

see also JUNK YARDS

18 "Market value" is the amount that land might be expected to realize if sold in the open market by a willing seller to a willing buyer.

20 Council may annually pass a by-law declaring which farming areas, if any, of the municipality are exempt or partly exempt from taxation for expenditures incurred for waterworks, fire protection, garbage collection, sidewalks, pavements, sewers, street lights and street maintenance.

22 A golf course may be granted fixed assessment. (Not applicable to buildings, and does not apply to local improvement taxation.)

86. In determining the market value of farmland used only for farm purposes, no consideration may be given to sales to persons whose principal occupation is other than farming.

This is a plan by the Minister of Transportation and Communications to establish the vesting of a highway in the Crown.

Council may prohibit, regulate and inspect motor vehicle wrecking yards.

Motor vehicle or trailer dealers, car wreckers and used car dealers must obtain a licence from the Ministry. An appointed officer under the Act or a constable is authorized to enter any of these premises for the purpose of investigation and inspection.

Subject	Reference	Description and Notes
Barn	see GARAGE; AGRICULTURAL POLLUTION; BUILDING CODE - farm buildings	
BASE MAPPING	see also TOPOGRAPHIC MAPS	At the time of publication, a handbook on maps and sources of maps in Ontario was being prepared by the Research and Special Projects Branch of the Ministry of Municipal Affairs and Housing. (Tel: 585-6246)
BEACHES AND SHORES	Public Lands Act (Natural Resources)	42 The Minister and any municipality may enter into agreements respecting the control and management by the municipality of any public lands comprised of beaches or lands covered with water.
	Beach Protection Act (Natural Resources)	60 Public land that is a beach and is travelled upon is not by reason thereof a highway within the meaning of any Act.
	Municipal Act 208(31,33)	Prohibits the moving of any sand (earth, gravel, etc.) from a bed, beach bank, etc. of any lake, river or stream without a license issued by the Minister. Regulations under this Act do not apply to municipalities or individuals removing sand for their own use; however, individuals must obtain the written consent of the municipality.
	Shoreline Property Assistance Act (Municipal Affairs and Housing)	Council may preserve shores, harbours, bays, riverbanks, etc.
	see also NAVIGABLE WATERS	A local council may obtain loans from the Treasurer of Ontario to assist landowners in the construction or repair of dykes or other works for protection against erosion. Building repairs necessitated by damage from flooding, erosion or ice formation are also eligible for loans. The loan repayment may be added to the owner's taxes.
Beds of Navigable Waters	see NAVIGABLE WATERS	
BEES	Bees Act 19 (Agriculture and Food)	In a rural area, no person may locate a bee-hive closer than 9 metres to a highway, dwelling or cultivated field, unless they are separated by a 2 metre high solid fence extending at least 4.5 metres on each side of the hives. In an urban municipality or in a designated suburban district of a township, bee-hives must be at least 30 metres away from a lot line adjoining lands occupied by a dwelling, a community centre, a public park or other place of public assembly or recreation.
BICYCLE AND FOOT PATHS	Municipal Act	208(54) Council may establish and lay out bicycle paths. This can include land acquisition and is not restricted to using part of a highway.
		309(5) Council may set aside a part of a highway as a bicycle or footpath. A relatively permanent arrangement is envisaged, with possibly a physical separation of the path from the motor traffic lanes.
		315(10) Council may designate a bicycle lane on any road and prohibit its use by other vehicles. The designation may be for such period or periods as may be specified.
BILINGUAL DOCUMENTS	Municipal Act 104a	Municipal by-laws and resolutions may be passed in English only or in English and French. The same applies to an official plan.
Billboards	see SIGNS	
Blighted Areas	see URBAN RENEWAL	
Boarding house	see LODGING HOUSE	
BOATING RESTRICTIONS	Canada Shipping Act 635 (Transport-Federal)	Boating Restriction Regulations under this Act are administered by the Ontario Ministry of Natural Resources. Enforcement is usually carried out by the O.P.P. but the federal Minister may appoint any official of a federal, provincial, county or municipal government as a peace officer for the purpose of these regulations. Regulations may prohibit all vessels from certain waters, or prohibit power driven vessels, specify maximum speed limits, prohibit water skiing or provide for permits for regattas, marine parades and boat races.
Boats	see PUBLIC HEALTH -; WATER CANALS; MARINAS	
BODY RUB PARLOURS	Municipal Act 221	"Body-rub" and "body-rub parlour" are defined. Council may pass a by-law defining the areas in which body-rub parlours may operate and may regulate or prohibit advertising signs promoting body-rub parlours. An M.O.H., a public health inspector or a peace officer may enter a body-rub parlour at any time to enforce the by-law.
	see also ADULT ENTERTAINMENT; MASSAGE PARLOUR	

Subject

Reference

Description and Notes

Bonus by-law	P.A. 36	
BOULEVARDS	Municipal Act 309(1, 2)	Council may set aside part of a highway as a boulevard and permit abutting owners to maintain it. (See also Local Improvements.)
BOUNDARIES	Boundaries Act (Consumer & Commercial Relations)	This Act provides for the confirmation of boundaries of parcels of land which may be in doubt or of the location of the boundaries of a public highway. The cost of the former may be area-rated.
	Territorial Division Act (Municipal Affairs and Housing)	1 The territorial division of Ontario into counties and districts and metropolitan and regional areas is described in this Act.
		9-13 The boundaries of townships lying on certain lakes and rivers are described.
		14 Where doubt exists regarding the township to which an island or other land belongs, a declaration may be sought under the Municipal Corporations Quieting Orders Act.
		15 The Lieutenant Governor in Council may establish new townships, alter the boundaries of territorial districts, alter township boundaries in areas where no letters patent have been issued, and annex any gore or tract of land not forming part of a township to any adjoining township.
- boundary road	Municipal Act 283	Where, on account of physical difficulties or obstructions, a boundary road deviates from a municipal boundary, it is nevertheless deemed to be the municipal boundary for the purposes of this Act.
	see also ANNEXATION	
BRIDGES	Bridges Act (Transportation and Communications)	2(1) No bridge may be built, altered or replaced except with the approval of the Lieutenant Governor in Council.
		(2) Conditions for approval of the building, altering or replacement of a bridge require:
		(a) a petition requesting such approval
		(b) proof that the plans of the bridge have been deposited with both the Minister and the proper registry office, and
		(c) proof that notice of such application has been published in the Ontario Gazette and two newspapers having general circulation in the area of the proposed site.
	Municipal Act 254-295	4 Regulations may be made regarding the building, alteration or replacement of a bridge.
	see also LOCAL IMPROVEMENT; HIGHWAY	Various provisions applying to bridges not under the control of the Crown.
Buffer Strip	see LANDSCAPING	
BUILDING BY-LAWS	Municipal Act 210 (162-174) and 210a; Planning Statute Law Amendment Act, 1983	Most of the provisions relating to building by-laws in the old Planning Act now appear in the Municipal Act. These provisions apply only to existing buildings and minor additions and to used mobile homes.
	see also BUILDING CODE	Arrangements may be made by an upper-tier municipality to provide building inspection services to lower-tier municipalities.
BUILDING CODE	Building Code Act (Municipal Affairs and Housing)	This Act provides the authority for the establishment and enforcement of an Ontario Building Code to replace the building standards established by municipal by-laws and the provincial plumbing code.
		1. The terms "building", "construct", and "demolition" are defined.
		3. The council of each municipality is responsible for the enforcement of this Act unless it enters into an agreement for the provision of enforcement with or by another municipality, the county or the province.
- building permit	see also MANDAMUS	5. A building permit, indicating compliance with the conditions and regulations of this Act, is required for the construction or demolition of a building. The municipality and the province may, within their respective jurisdictions, make regulations concerning such things as the amount of information required on permit applications, building permit fees, and the classes of permits required.
	see also UNORGANIZED TERRITORY - building permit	6(4) Permits may be revoked: if issued on false information, if the construction is not seriously started within six months or if the construction or demolition is suspended for over a year.
- occupation of new buildings	see also UNFINISHED BUILDINGS	7. Occupation of any part of a new building is prohibited until notice of completion is given and inspection is made and outstanding orders have been complied with.

Subject	Reference	Description and Notes
- abandoned buildings	- Building Code Commission	<p>10. An inspector may prohibit occupancy of an unsafe building until the remedial action he has suggested is taken. If the building is considered by the inspector to be dangerous to the safety of the public it may be repaired, renovated or demolished at the owner's expense.</p> <p>14. Any dispute with regard to the technical aspects of the building code or sufficiency of compliance may be settled before the Building Code Commission whose decision is final.</p> <p>15. Decisions of the inspector or chief official may be appealed in the district or county court.</p> <p>18. The Building Materials Evaluation Commission is established to examine new materials, innovative techniques and building designs and authorize their use.</p> <p>19. Regulations may be made for the purpose of establishing a building code in Ontario governing standards for the construction and demolition of buildings. The nature of these regulations is also described.</p>
- Building Materials Evaluation Commission	- Ontario Building Code	<p>The Ontario Building Code describes administrative and technical requirements of building design and construction. Certain parts of the Ontario Building Code are relevant to planning procedures.</p>
- unorganized territory	- farm buildings	<p>Part 2 Administration</p> <ul style="list-style-type: none"> - describes which parts of the Code govern different classifications of buildings; establishes criteria for professional design and describes procedural requirements during construction; waives requirement for obtaining a building permit in unorganized territory. - a non-residential farm building is exempt from the requirement for a building permit if municipal council has not passed a by-law prescribing a class of permit for such buildings. All non-residential farm buildings must be built in accordance with the Canadian Code for Farm Buildings whether or not a permit is required. - a limit has been placed on the maximum allowable levels of radon gas and its attendant daughter products within buildings in designated areas of Ontario.
- demolition	- site planning	<p>Part 3 Use and Occupancy</p> <ul style="list-style-type: none"> - applies to "Assembly", "Institutional", "High Hazard Industrial" occupancies and all buildings exceeding 6000 sq. ft. in "building area" or 3 storeys in building height. Requirements for spatial separation may affect site planning.
- renovation	- enforcement	<p>Part 4 Design</p> <ul style="list-style-type: none"> - governs structural design <p>Part 5 Building Requirements for Handicapped Persons</p> <p>Part 6 Building Services</p> <p>Part 8 Demolition</p> <p>Part 9 Housing and Small Buildings</p> <ul style="list-style-type: none"> - requirements for spatial separation between buildings may affect site planning. <p>Part 11 Residential Renovation</p> <ul style="list-style-type: none"> - The Renovation Code was added to the Ontario Building Code in 1984. It grew out of the Ministry's "Residential Renovation Guidelines" and applies to residential buildings of up to 6 storeys. <p>An illustrated guide to the Ontario Building Code was due to be published in mid-1985 as an appendix to the code.</p>
National Building Code		<p>"The Enforcement of the Ontario Building Code Act" is a useful article by Nadia Koltum, Deputy City Solicitor, City of North York, published in Municipal Planning and Law Reports, March, 1983.</p> <p>A new (1985) building code, based largely on the revised (1980) National Building Code, was due to appear at about the same time as this Planner's Reference. The National Building Code is a model document which is used in CMHC mortgage policy and for development by the Federal government.</p>

Subject

Reference

Description and Notes

BUILDING ENCRoACHING ON
HIGHWAY

Municipal Act 210(101)

Council may permit an inadvertent encroachment and charge an annual fee.

Building line for deferred
highway widening

see SET-BACK

Building Restoration, Reha-
bilitation

see CONSERVATION (CULTURAL);
HOUSING - O.H.R.P.

Building Standards

see PUBLIC HEALTH -

BUILT-UP AREA

Highway Traffic Act 1(1)

1 "Built-up area" means the territory contiguous to a highway not within a city, town, village or police village where,

- i. not less than 50 percent of the frontage upon one side of the highway for a distance of not less than 200 metres is occupied by dwellings, buildings used for business purposes, schools or churches, or
- ii. not less than 50 percent of the frontage upon both sides of the highway for a distance of not less than 100 metres is occupied by dwellings, buildings used for business purposes, schools or churches, or
- iii. not more than 200 metres of the highway separates any territory described in subparagraph i or ii from any other territory described in subparagraph i or ii,

and signs are displayed as required by the regulations.

The definition of a built-up area in the Drainage Act is almost the same as the above. However, there is no requirement that signs be displayed or that the area be contiguous to a highway and a fourth alternative is available:

- iv. a plan of subdivision has been registered.

Drainage Act 1.3

Council may designate an Improvement Area and establish a Board of Management to beautify municipally-owned lands,

BUSINESS IMPROVEMENT AREA

Municipal Act 217

buildings and structures in an area for the purpose of promoting the area as a shopping area. Approval of the Ontario Municipal Board is required. The cost is charged to owners in the area.

see also COMMUNITY IMPROVEMENT
- CAIP

By-law record

see INDEX OF MUNICIPAL BY-LAWS

Subject	Reference	Description and Notes
Cable T.V.	see TRANSMISSION POLES; WIRES	
Camp grounds	see TOURIST ESTABLISHMENT; TRAILER AND TOURIST CAMPS	
Camps	see PUBLIC HEALTH -; HEALTH AND SOCIAL SERVICE INSTITU- TIONS - charitable institu- tion; PUBLIC LANDS - summer resort location	
Canada Mortgage and Housing Corporation (C.M.H.C.)	see HOUSING (National Housing Act)	
Canals	see WATER CANALS IN SUBDIVI- SIONS	
CANOPIES	Municipal Act 309(3)	Council may permit canopies to project over the sidewalk and may levy an annual fee.
CAPITAL LEVIES		Special capital levies are authorized in the Local Improve- ment Act, the Tile Drainage Act, the Drainage Act, the Tele- phone Act and the Police Act (see AREA RATE).
	see also IMPOSTS	
CAR WASH	Municipal Act 210(153)	Council may license, regulate and govern the owners or oper- ators of car washes.
Car wreckers	see JUNK YARDS	
Caution on title	see DEED RESTRICTIONS	
CEMETERY	Cemeteries Act (Consumer & Commercial Relations)	<p>1 Columbarium, crematorium, mausoleum and cemetery are defined.</p> <p>5 No cemetery may be established or enlarged except with Ministry approval.</p> <p>41 Establishment and enlargement may occur by expropriation.</p> <p>58,59 Removal of bodies requires the assent of the Cabinet.</p> <p>63 The closing of a cemetery requires an order of Cabinet.</p>
Census Farm	see FARM	
CERTIFICATE OF COMPLIANCE		The Agricultural Code of Practice refers to a Certificate of Compliance which is issued following an evaluation of a livestock production unit, its manure system and quality of management. The certificate is issued jointly by the Minis- tries of the Environment and Agriculture and Food and it attests to a farmer's ability to control pollution.
	see also P.A. 31(21) re maintenance and occupancy	
Certificate of occupancy	P.A. 34(6)	
Certificate of Title	see QUIETING TITLE	
Checkerboarding	see PARTITION	
Charitable Institution Children's Residence Children's Mental Hospital	see HEALTH AND SOCIAL SERVICE INSTITUTIONS -	
CITIZEN ADVISORY COMMITTEE	Ontario Planning and Develop- ment Act 3, 6(1)(c) (Municipal Affairs and Housing)	These committees consist of persons appointed by the Minis- ter and are intended to advise the Minister with respect to the preparation and implementation of a "development plan". Two committees must be formed in each development planning area: one to represent the municipalities, and one to be broadly representative of the people of the area.
Citizen Participation	see PUBLIC PARTICIPATION	
CLOSING ORDER	see MOTOR VEHICLE ACCESS TO PROPERTY	
Columbarium	see CEMETERY	
COMMERCIAL MOTOR VEHICLE	Highway Traffic Act 1(1)5	"Commercial motor vehicle" means a motor vehicle having permanently attached thereto a truck or delivery body and includes ambulances, hearses, casket wagons, fire apparatus, police patrols, motor buses and tractors used for hauling purposes on the highways.
Committee of Adjustment	P.A. 43, 44	"Committees of Adjustment, Minor Variances and Non-Conforming Uses" (July, 1984), is Guideline 11 in a series of guidelines on the Planning Act published by the Ministry of Municipal Affairs and Housing.

Subject

Reference

Description and Notes

Common road

see MOTOR VEHICLE ACCESS TO PROPERTY

COMMUNITY CENTRE

Community Recreation Centres Act (Tourism and Recreation)

1(1)e "Community Recreation Centre" means land or all or any part of a building or buildings or structures established in accordance with this Act that is maintained and operated for community recreation activity. (A community centre established under The Community Centres Act is deemed a Community Recreation Centre.)

- unorganized territory

2 Council may by by-law establish and operate community recreation centres and may grant them aid.

- joint use

3 In unorganized territory a board with jurisdiction may establish and operate community recreation centres.

4 Councils may enter into agreements for joint use of community recreation centres and may appoint a committee of management.

6,9 The Minister may make grants to municipalities and boards for community recreation centre purposes.

12 Cabinet may make regulations for community recreation centres.

see also RECREATION

COMMUNITY IMPROVEMENT
- ONIP

P.A. 28 - 30

The Ontario Neighbourhood Improvement Program is designed to assist Ontario municipalities revitalize older residential neighbourhoods. It provides 50% grants for improvements to municipal services and community facilities.

- CAIP

The Commercial Area Improvement Program is designed to assist Ontario municipalities upgrade older commercial districts. It provides grants and loans for municipal services, parking, aesthetic and economic improvements.

As a pre-requisite for eligibility for either of these programs, every municipality must have policies relating to community improvement in its official plan.

National Housing Act
Part VIII.1

54.1 After March 31, 1980, C.M.H.C. may help a provincial or local government pay for community services. The agreement must be approved by the federal cabinet. Community services could include a wide variety of neighbourhood improvements, from sewer and water mains to social and recreational facilities and public non-profit housing.

A "Community Improvement Resources Kit" is published by the Community Renewal Branch of the Ministry. It describes available federal and provincial programs and sources of assistance. Guideline 4 under the 1983 Planning Act is entitled "Community Improvement".

see also BUSINESS IMPROVEMENT
AREA; URBAN RENEWAL

Community-sponsored housing

see HOUSING - non-profit or
community sponsored housing

COMMUTER SERVICES

Commuter Services Act (Transportation and Communications)

This Act establishes the framework for the operation of commuter services by the provincial government and municipalities

Compiled plan

see JUDGE'S PLAN; MUNICIPAL
PLAN; REGISTRAR'S COMPILED
PLAN

COMPOSITE PLAN

Land Titles Act 146
(Consumer and Commercial
Relations)

Similar to a Judge's Plan but applies to crown land. Application is made by the Minister of Natural Resources to the Director of Land Registration. The provisions of the Planning Act with respect to approval of plans of subdivision are not applicable to composite plans.

COMPOSITE TOWNSHIP

A township municipality composed of more than one geographic township, or composed of a geographic township and an area such as a mining location or a large island or improvement district.

CONDOMINIUM

National Housing Act
(C.M.H.C.)

2 "condominium unit" means a bounded space in a building designated or described as a separate unit on a registered condominium or strata lot plan or description or similar plan or description registered pursuant to the laws of a province and intended for human habitation, and includes any interest in land appertaining to ownership of the unit. ("Strata plan" is a synonym for "condominium plan" in common usage in British Columbia.)

- strata plan

Subject

Reference

Description and Notes

	Condominium Act (Consumer & Commercial Relations)	49	The owner of a rented unit is still responsible for common expense fees, but the Corporation may require a tenant to pay any such fees in default and deduct the amount from the rent.
		50	This Section relates a condominium application to the subdivision control provisions of the Planning Act.
- assessment	Assessment Act 65 (Revenue)		Details regarding procedures for condominium development are governed by regulations pursuant to Section 59 of the Act.
			The assessment of condominium and cooperative units is to be based on the same criteria as owner-occupied single family residences in the same vicinity.
- maintenance agreements	Municipal Act 210(62)		Rental premises converted to condominium ownership will be assessed at the level of assessment of similar rental properties, as long as the units continue to be rented.
- easements	Condominium Act (Consumer & Commercial Relations)	8(1)	Easements are relevant for single units in allowing for servicing, repairing damage and the support of common elements.
		8(2)	Easements are relevant for commons for servicing and for providing support.
	Land Titles Act (Consumer & Commercial Relations) Registry Act (Consumer & Commercial Relations)	41,43a, 24a	These provisions clarify the status of easements affecting or benefitting common elements, and their status in phased condominium development.
CONFLICT OF INTEREST	Municipal Conflict of Interest Act (Municipal Affairs and Housing)		The failure of a member of council or of a local board to disclose a pecuniary interest, whether direct or indirect, in any matter that comes before a meeting of the council or local board, including a committee or other meeting, will render the member liable, on the application of an elector to a county or district court judge, to having his seat declared vacant and being disqualified from being a member of any council or local board for a period of up seven years and to make restitution.
Connecting link	see HIGHWAY -		
CONSENT	P.A. 49(1), 52, 53		
			Land Severance: planning guidelines for land division committees, committees of adjustment and delegated planning boards. Prepared by the Ministry of Municipal Affairs and Housing and available from the Ontario Government Bookstore.
CONSERVATION (CULTURAL)	Ontario Heritage Act (Citizenship and Culture)	Part I	This part establishes the overall responsibility of the Minister for heritage conservation, protection and preservation.
		Part II	The Ontario Heritage Foundation is appointed by Cabinet. It may acquire and hold property, make grants, advise the Minister, etc.
- easements			A conservation or heritage easement is a legal agreement by which the owner of a property transfers to another person or body the right to approve decisions concerning demolition, addition or alteration of heritage elements of his property.
			Easements or covenants entered into by the Ontario Heritage Foundation may be registered against real property and shall run with the property. The easements or covenants made may be of a positive or negative nature and the Foundation may enforce such easements or covenants even where it owns no land which could be accommodated or benefited by such an easement or covenant. A municipal council may also enter into a conservation easement agreement without the necessity of designating the property to be of historic or architectural interest under Part IV of the Act.
- conservation review board		Part III	A Conservation Review Board is appointed by Cabinet to hear appeals under Parts IV and VI.
- local architectural conservation advisory committee (L.A.C.A.C.)		Part IV	Individual properties may be designated by a municipality, which may consult a Local Architectural Conservation Advisory Committee. Properties designated by by-law as being historically and/or architecturally significant previous to the passing of this Act are also covered by the provisions of this Part. There is provision for hearings, appeals, etc. Council approval is required prior to alterations or demolitions. Council may acquire or expropriate the properties or may make grants for alterations. Council may also acquire easements, or enter into covenants and may even assign them to any person if desired.

Subject

Reference

Description and Notes

- heritage conservation districts

Part V If the official plan so provides, a whole area may be designated by a municipality as a Heritage Conservation District. The by-law requires an O.M.B. hearing and approval. It provides protection against demolitions, alterations, removals or erections, but demolition or removal can only be denied for 180 days. Council may also acquire or lease a designated property.

Part VI Archaeological exploration is only permitted by licence from the Minister. After due notice, property may be designated as archaeologically or historically significant. Thereupon no excavation, alteration or removal of objects may occur except by permit from the Minister. The Minister may also issue a 180 day stop order if a property is likely to be damaged by commercial, industrial or other development. Compensation is provided for.

The following background material, prepared by the Ministry of Citizenship and Culture, is available from the Ontario Government Bookstore:

"A Heritage Conservation Primer" (\$1.00), published in 1984, explains the workings of the Ontario Heritage Act.

"Heritage Conservation District Guidelines" is scheduled for publication at about the same time as this Planner's Reference.

Historic Sites & Monuments Act
(Environment-Federal)

A nation-wide inventory of historic buildings is in progress. Provision is made for Federal financial involvement but it has not been substantial in Ontario.

Conservation (Energy)

see ENERGY CONSERVATION

Conservation (Housing)

see HOUSING - neighbourhood improvement

CONSERVATION (NATURAL ENVIRONMENT)

Conservation Authorities Act
(Natural Resources)

2,3 A Conservation Authority may be established by Cabinet upon request of municipalities in a watershed. Where a Region exists, it is the sole participating municipality for its area.

21 The powers and objectives of an Authority are described. They include an involvement in the management of all natural resources other than gas, oil, coal and minerals. Specifically: dams, reservoirs, parks and recreation and tree planting are mentioned.

28 Subject to Cabinet approval, an Authority may regulate: the use of water from rivers and lakes, interference with a watercourse, the location of irrigation ponds, the erection of structures in the "regional storm" flood plain, and the dumping of fill. The Regulation adopted by each authority is entitled "Fill, Construction and Alteration to Waterways Regulation". Appeals are heard by the Mining and Land's Commissioner, who is assigned the powers given to the Minister under subsection 28(5).

- hazard land

- dumping fill

O.Reg 364/82

- Mining and Lands Commissioner

32 If a project affects Crown Land, a public work, a Hydro project or a road, a plan must be filed and approval obtained from the appropriate Minister.

see also: AGRICULTURAL REHABILITATION; HAZARD LAND; BEACHES AND SHORES; DRAINAGE

Conservation Review Board

see CONSERVATION (CULTURAL) -

Consolidated hearings

see HEARINGS

Contracts

see AGREEMENTS; MONEY BY-LAWS

Controlled access highway

see HIGHWAY -

Controlled access road

see HIGHWAY -

CONTROL ORDER

Environmental Protection Act
113-119

The Ministry may issue control or stop orders to reduce or stop pollution of the natural environment.

Subject	Reference	Description and Notes
CONVEYANCE	<p>Conveyancing and Law of Property Act 1(a) (Attorney General)</p> <p>Land Transfer Tax Act (Revenue)</p> <p>see also P.A. 49 as amended by the Land Registration Reform Act, 1984</p>	<p>"Conveyance" includes an assignment, appointment, lease, settlement, and other assurance, made by deed, on a sale, mortgage, demise, or settlement of any property or on any other dealing with or for any property and "convey" has a meaning corresponding with that of conveyance.</p> <p>1(1)c "conveyance" includes any instrument or writing by which land is conveyed and includes a final order or foreclosure under any mortgage or charge affecting land and a notice or caution in writing signifying the existence of any instrument or writing by which land is conveyed.</p>
Co-operative housing	see HOUSING -; CONDOMINIUM - assessment	
COTTAGE		<p>"Official Plan and Zoning Guidelines for Waterfront Residential Areas" is due to be published in 1985 by the Ministry of Municipal Affairs and Housing."</p> <p>Section 9.37 of the Ontario Building Code includes some standards for cottages which are lower than the normal residential standards.</p> <p>A chronological compendium of decisions on cottage or seasonal zoning by-laws is contained in the August 1981 issue of Municipal World.</p>
COUNTY	<p>Municipal Act 1 and 7 P.A. 1(g)</p> <p>see also HIGHWAY - - county road, - zoning, - gas pumps, signs - suburban road</p>	<p>The Municipal Act and the Planning Act differentiate between a "local municipality", which excludes a county, and a "municipality", which is defined as "a locality the inhabitants of which are incorporated" (Municipal Act) or "a local municipality, a county and a regional, metropolitan or district municipality" (Planning Act).</p>
County road	see HIGHWAY -	
COVENANT	<p>Conveyancing and Law of Property Act 61 (Attorney General)</p> <p>see also DEED RESTRICTIONS</p>	<p>A covenant or condition running with the land may be modified or discharged by order of a judge of the Supreme Court or of a judge of the county or district court. This does * not apply to any building restriction imposed by a by-law under the Municipal Act or the Planning Act.</p>
Crematorium	see CEMETERY	
Crown land	see PUBLIC LANDS	
Culverts	see HIGHWAY -; DRAINAGE	

Subject

Reference

Description and Notes

DAMS	City of Orillia Act see also LAKES AND RIVERS; CONSERVATION; DRAINAGE; PUBLIC LANDS -	A Private Bill was passed in 1980 to authorize the City to build and develop dams for the generation of electrical power in the townships of Georgian Bay and Muskoka Lakes.
DANGEROUS MANUFACTURES	Municipal Act 210(34)	Council may prohibit or regulate the carrying on of trades that may be a fire hazard.
Day Nursery	see HEALTH AND SOCIAL SERVICE INSTITUTIONS -	
Dead Animals	see RENDERING PLANT; AGRICUL- TURAL POLLUTION	
DEBENTURES	Municipal Act 142-157 see also MUNICIPAL BOARD	Under the heading "Money By-laws" the Municipal Act deals with debentures, municipal debt and contracts for the supply of public utilities.
DEED RESTRICTIONS	Land Titles Act (Consumer & Commercial Relations)	117 A land owner may apply to the Land Registrar to have condi- tions or restrictions entered on the register (i.e. on title) which bind subsequent owners not to do certain things without authorization from named persons. 118 Covenants, conditions and restrictions may be contained in a transfer (i.e. deed) or may be registered pursuant to an application. To be registrable, such covenants, conditions and restrictions must run with or be capable of being legally annexed to land. 124-136 A caution on title has the effect that no dealing with the land may occur without the consent of the cautioner. A registered caution expires automatically in five years unless renewed. The owner of land affected by a caution may apply to the Land Registrar to have the caution removed at any time.
DEEMING A REGISTERED PLAN	P.A. 50(4)	A booklet entitled "Subdivision Control in Registered Plans: Deeming and Part-Lot Control" was published by the Ministry of Municipal Affairs and Housing in May, 1981. It is obtainable from the Ontario Government Bookstore, price \$2.00
Deferred highway widening	see SET-BACK	
Delegation of Minister's Power	P.A. 4	Guideline 3 under the 1983 Planning Act is entitled "Delegation of Minister's Authority".
DEMOLITION CONTROL	Building Code Act 1(f) (Consumer & Commercial Relations) Ontario Building Code: 2.5.1.4 to 2.5.1.7 and Part 8 P.A. 33 Ontario Heritage Act (Citizenship and Culture)	"demolition" means the doing of anything in the removal of a building or any material part thereof. Section 33 of the Planning Act gives municipal councils the authority to decide whether a residential building in a defined area may be demolished. If council agrees, then the Building Code governs <u>how</u> the building should be demolished. Demolition of historically significant buildings can be controlled by designation under Part IV of the Ontario Heritage Act.
Derelict motor vehicles	see ABANDONED MOTOR VEHICLES	
Design control	see Development control	
Developers' agreements	see IMPOSTS; AGREEMENTS	
Development control	see NIAGARA ESCARPMENT -; Site Plan Control: P.A. 40	
DEVELOPMENT PLAN	Ontario Planning and Development Act, 1973 (Municipal Affairs and Housing)	2. "Development plan" means a plan, policy and program, or any part thereof, approved by the Lieutenant Governor in Council, covering a development planning area or a portion thereof, as defined therein, designed to promote the optimum economic, social, environmental and physical condition of the area, and consisting of the texts and maps describing the program and policy. Sections 5 to 17 of the Act contain provisions relating to the preparation and implementation of a development plan. The Parkway Belt West Plan is the first plan to be prepared as a development plan.
Development road	see HIGHWAY -	
Discrimination	see HUMAN RIGHTS IN ACCOMMODATION	
Distilleries	see INDUSTRIAL NUISANCES	

Subject	Reference	Description and Notes
Domestic animals	see ANIMALS	
Downtown revitalization	P.A. 28-30 see also BUSINESS IMPROVEMENT AREA	
DRAINAGE	Drainage Act (Agriculture and Food)	The Act contains various provisions permitting individuals and municipalities to initiate and maintain drainage works.
		1(11) "drainage works" includes a drain constructed by any means including improving a natural watercourse, and includes works necessary to regulate the water table or water level within or on any lands or to regulate the level of the waters of a drain reservoir, lake or pond, and includes a dam, embankment, wall, protective works or any combination thereof.
		2-10 These sections describe procedures and requirements needed to construct mutual agreement, requisition, and petition drains.
		11-20 An engineer's report is required to determine the scope and nature of any drainage project to be undertaken.
- cost and benefit assessment		21-46 The assessment of the costs and benefits of the drainage works are estimated for the affected properties.
- appeals		47-59 Appeals regarding the technical aspects of drainage proposals may be taken to the Ontario Drainage Tribunal. Legal questions may be appealed to the referee.
- area levy		60-61 A council raising money to pay for drainage works must impose a special levy upon the land assessed for the works.
		83(1) Except as authorized by an M.O.E. approved by-law, no person may discharge into a drainage works any substance other than unpolluted drainage water.
		85-90 Provincial grants to aid in the construction of drainage works range from 33 1/3% in counties to 80% in unorganized territories.
- expropriation	Expropriations Act 2(3) (Attorney General)	The Expropriations Act does not apply to land used under the authority of the Drainage Act.
- urban drainage	Municipal Act 210(74, 79 and 82) and 208 (13 to 17)	Council may require and regulate private drains; and may construct service drains from a sewer to the line of the highway. Council may construct drainage and sewerage systems and flood control works. Section 9.14 of the Ontario Building Code applies to surface and subsurface drainage. The Ministries of Natural Resources, the Environment and Municipal Affairs and Housing have collaborated in the preparation of an "Urban Drainage Management Program" which provides information of value to municipalities and developers.
- agricultural drainage	Tile Drainage Act (Agriculture and Food)	This Act provides for loans to farmers from municipalities to construct tile drains. Loans are repaid by a rate levied on the property and financed in the interim by municipal debentures sold to the Treasurer of Ontario. Loans must be repaid in full, plus interest, if the land is taken out of agricultural use before the loan is repaid. Where a council refuses an application or reduces the amount applied for, the applicant may appeal the decision to the Ontario Drainage Tribunal.
DUMPING OF FILL	City of Windsor Act, 1980 see also CONSERVATION; PUBLIC LANDS -; NAVIGABLE WATERS	A Private Bill was passed in 1980 to authorize the City of Windsor to prohibit or regulate the dumping of fill in any area or areas of the City. Mississauga obtained similar legislation in 1982, applicable to areas not subject to regulations under section 28(1)(f) of the Conservation Authorities Act.
Dumps	see WASTE DISPOSAL; LANDFILL	
Dwelling Unit	P.A. 33; see also HOUSING - family housing unit	

E

Subject

Reference

Description and Notes

EARLY CLOSING BY-LAWS	Municipal Act 211-214	
EASEMENTS	see also HOLIDAY CLOSINGS FOR RETAIL BUSINESS	Council may regulate the closing hours of shops, gas stations and hotels. "Shop" is defined.
- conveying land	Conveyancing and Law of Property Act 15	Easements are included in the conveying of property.
	Limitations Act 31 (Attorney General)	No easement in respect of wires or cables attached to property or buildings or passing through or over such property may be acquired except from the owner.
- heritage	see CONSERVATION (CULTURAL) - see also CONDOMINIUM	
Ecology	see ENVIRONMENTAL ASSESSMENT; WASTE MANAGEMENT	
ELDEKLY PERSONS CENTRE	Elderly Persons Centres Act (Community and Social Services)	3 Council may, with the Minister's approval, establish and subsidize social and recreational centres for elderly persons. 4 Cabinet may make grants toward the establishment and maintenance of such centres, and may make regulations governing them.
Elderly persons housing	see HEALTH AND SOCIAL SERVICE INSTITUTIONS - home for the aged	
ENCUMBRANCE	Condominium Act 1(o) (Consumer & Commercial Relations)	"Encumbrance" means a claim that secures the payment of money or the performance of any other obligation, and includes a charge under the Land Titles Act, a mortgage and a lien.
	Land Titles Act (Consumer & Commercial Relations)	Zoning and subdivision control do not, of themselves, constitute an encumbrance on title within the meaning of the Land Titles Act.
ENERGY CONSERVATION	City of Ottawa Act, 1980	A Private Bill was passed to enable the City to designate any area covered by an official plan as an energy conservation area. Development in such an area must be preceded by an approved energy use statement, unless that class of development has been exempted.
- energy conservation area		
- energy use statement		
- energy conservation program	Power Corporation Act (Energy)	The Corporation is authorized to provide information, advice and inspection services in respect of the use of all forms of energy.
ENFORCEMENT OF BY-LAWS	Municipal Act 325	Where council has authority to require that something be done and the person required to do it fails to fulfill that obligation, council may do it at his expense and charge the cost to him on his tax bill. (Reference to this clause must be made in the enabling legislation relating to the specific authority).
- fines	Municipal Act 321	Council may impose fines of up to \$2,000 for any municipal by-law infraction.
- action to restrain contravention of by-law	Municipal Act 326, 327	In addition to any other remedies, a by-law contravention may be restrained by a ratepayer, the corporation, or a local board. A court may make an order prohibiting the continuation or repetition of an offence.
	Provincial Offences Act, 1979 (Attorney General)	Part III provides for the laying of information before a Justice of the Peace and for a hearing in a Provincial court.
	Interpretation Act 27(b) (Attorney General)	"By-law Enforcement - An Administrative View" is a bulletin published by the Municipal Administration Branch, Ministry of Municipal Affairs and Housing. (Reprinted: March, 1985) "In every Act, unless the contrary intention appears, where power is given to a person, officer or functionary to do or to enforce the doing of an act or thing, all such powers shall be understood to be also given as are necessary to enable the person, officer or functionary to do or enforce the doing of the act or thing".

Subject	Reference	Description and Notes
ENTRY ON PRIVATE PROPERTY	see also HYDRO-ELECTRIC POWER -; PUBLIC WORKS; WEED CONTROL; AUTOMOBILE WRECKING YARD; SPILL; TRESPASS AND OWNER'S LIABILITY; BUILDING CODE ENFORCEMENT	Some acts include specific reference to the authority to enter on private property. For instance, Section 31 of the Planning Act re: maintenance and occupancy or paragraph 39 of Section 210 of the Municipal Act re: fire matters. Other areas of legislation include no such reference and the courts would be required to determine if entry were legally permissible.
ENVIRONMENTAL APPEAL BOARD	Environmental Protection Act (Environment) Part XI	This Board hears appeals from applicants who have been refused approval or refused a licence or permit by a Director under the Environmental Protection Act, Ontario Water Resources Act or Pesticides Act.
ENVIRONMENTAL ASSESSMENT	Ontario Water Resources Act 63, 64 (Environment) Environmental Assessment Act (Environment)	An amendment to the Act introduced in 1983 refers to procedures for appeals to the E.A.B. This Act provides for the assessment of the effects on the environment of public and private projects. "Environment" is defined to mean the human as well as the natural environment of Ontario. It includes natural, social, economic and cultural factors and their interrelationships. "Environmental assessment" is the identification, interpretation and evaluation of the effects of an undertaking and its alternatives on the environment. 1(0) An "undertaking" is defined as an enterprise or activity of the Ontario government, a municipality or defined public bodies or, if designated by regulation, a major commercial or business or enterprise or activity. 5-6 No undertaking to which the Act applies may proceed unless the Minister has accepted the environmental assessment and approved the undertaking. The required content of an environment assessment is described in Section 5 of the Act. It is illegal to issue approvals, licences, etc. or make grants or loans or give guarantees for undertakings which require approval under the EA Act until the approval under the EA Act has first been issued. 7 A review of an environmental assessment is prepared and released by the Minister of the Environment to the public. A period of 30 days is allowed for public review. 9-11 If the Minister considers that the submitted environmental assessment is satisfactory to enable a decision regarding approval to be made, he will accept the environmental assessment. If, however, he considers it to be unsatisfactory, he may amend and accept the assessment after he has notified the proponent and certain other interested parties of this intention and after receiving further submissions from them. Before accepting an environmental assessment, the Minister may require the proponent to do further research, which is then incorporated as part of the environmental assessment. - Hearings 7,12 13,14 An environmental assessment may be referred to the Environmental Assessment Board on receipt of a requirement for a hearing during the 30-day period following the Minister's giving notice that the review has been completed, or within 15 days of giving notice of proposal to amend. In such cases, the Board decides both on acceptance of the environmental assessment, and approval of the undertaking with or without conditions. Where the Minister has accepted an environmental assessment, the Minister may approve the undertaking with or without conditions or refuse it, or on receipt of a requirement for a hearing within 15 days of the notice of acceptance, it may be referred to the Board for a hearing and a decision on approval. 24 The Minister may designate provincial officers to make or require such tests or inquiries as are necessary to ensure the enforcement of the Act. - exemptions 29 The Minister may, with Cabinet approval, exempt any undertaking from the application of the Act, where he is of the opinion that such exemption is in the public interest. Reasons for exemption are normally based on grounds of urgency, or where the undertaking is likely to have insignificant environmental effects.

Subject

Reference

Description and Notes

- regulations

40 Regulations may be made under this section: defining as major any commercial or business enterprise or activity; designating any such enterprise as an undertaking to which the Act applies; defining a body as a public body; exempting persons or undertakings from the Act or regulations.

Regulation 293

The regulation exempts many provincial and municipal projects from the Act. Provincial projects which still require environmental assessment include: new provincial highways, sewage and water treatment plants, master plans for provincial parks, major provincial building complexes, Ontario Hydro electrical generating stations and transmission lines, waste disposal sites.

O. Reg. 414/83 and 783/83

Provisions of the regulation also exempt certain activities of Conservation Authorities and the municipal sector. Both these sectors are subject to phased implementation under the regulation and were completely exempt until 1977 and 1980 respectively. Private sector undertakings are subject only if specifically designated.

Information on the Environmental Assessment Act, designations, exemptions and guidelines appears twice yearly in E.A. Update, a periodical digest which may be obtained without cost by writing to E.A. Update, Environmental Assessment Branch, Ministry of the Environment, 135 St. Clair Avenue West, Toronto, Ontario, M4V 1P5. Guidelines on Presubmission Consultation in respect of projects are available from the same source.

General Guidelines for the Preparation of Environmental Assessments are for sale at the Ontario Government Bookstore.

ENVIRONMENTAL ASSESSMENT
ADVISORY COMMITTEE

This committee is appointed by the Minister to provide him with independent advice both on requests for exemptions from the Environmental Assessment Act and on request for the designation of undertakings under the same legislation. This Board makes decisions under the Environmental Assessment Act (when referred to for a hearing by the Minister), and recommendations under the Environmental Protection Act and the Ontario Water Resources Act, with respect to certain waste disposal matters and sewage works. Any decision of the Board under the Environmental Assessment Act can be altered, or a new hearing ordered, by the Minister with Cabinet approval. The hearing of the Board under the Ontario Water Resources Act and the Environmental Protection Act are governed by Sections 6 and 33 of the respective Acts.

ENVIRONMENTAL ASSESSMENT
BOARD

Environmental Assessment Act
(Environment) Part III

see also HEARINGS

ENVIRONMENTAL CONDITIONS

A set of guidelines for registering environmental conditions has been prepared by the Ministry of the Environment. It is designed to assist developers of subdivisions and condominiums and applicants for severances in fulfilling conditions of approval recommended by the ministry.

Environmental Protection Act

see SEWERAGE; WASTE MANAGEMENT; SPILL

Erosion Control

see CONSERVATION (NATURAL ENVIRONMENT)

Escarpment

see NIAGARA ESCARPMENT

ESTHETICS

see Aesthetics

Exemptions from taxation -
areas or property

see ASSESSMENT

EXPLOSIVES

Municipal Act 210(8-17)

Council may regulate the storage of inflammable or explosive substances and may prohibit the manufacture of such substances.

see also DANGEROUS MANUFACTURES

Expressway

see HIGHWAY -

Subject

Reference

Description and Notes

EXPROPRIATION

Municipal Act

5 Unless otherwise expressly stated, when in any Act a municipality is given the power to acquire land, it includes the power to expropriate.

192-195 Council may pass by-laws to expropriate land. If the land is in another municipality, O.M.B. approval is required.

Expropriations Act (Attorney General)

Various provisions. Notice of application to expropriate must be served on the owner, who may request a hearing. The approving authority is either a council, a school board or a Minister.

9 Where appropriate, land may be expropriated for a limited period.

13 Compensation is based on market value plus any disturbance considerations, including disturbance to a tenant, and injurious affection.

- relocation costs

18(1) The expropriating authority must pay to an owner such reasonable costs as are the natural and reasonable consequences of the expropriation, including moving costs, legal and survey costs incurred in acquiring other premises, compensation for inconvenience and an allowance for improvements not reflected in market value. Tenants may also be eligible for compensation for disturbance and the loss of a lease.

- Land Compensation Board

26,28 A Land Compensation Board may determine the compensation to be paid if the parties cannot agree. Appeal lies to the Court of Appeal.

- expropriation plan

Registry Act (Consumer and Commercial Relations)

O/Reg. 898, sections 36 to 44, applies to expropriation plans.

- public works

Ministry of Government Services Act

The Minister may expropriate land on behalf of other ministries or government agencies.

Expropriation Act (Federal: Public Works)

The federal government may expropriate land that is required by the Crown for any public purpose. Some expropriations are governed by the Railway Act. Provision is included for notice, public hearings, compensation, negotiation, etc.

see also HOUSING -; DRAINAGE -

Extension or enlargement of non-conforming use

P.A. 44(2)(a)(1)

F

Subject	Reference	Description and Notes
Family housing unit	see HOUSING -	
Farm	see AGRICULTURAL HOLDING; HOUSING	
Farm buildings	see BUILDING CODE	
FENCES	Municipal Act 210(18-23), (32) and (31)	Council may prescribe the height and description of lawful fences and may prohibit wooden fences and require vacant lots to be enclosed. S.23 refers in more detail to fences around private swimming pools.
	Snow Roads and Fences Act (10-12) (Municipal Affairs and Housing)	Council may pass by-laws requiring owners of land bordering a public highway to remove any fence that causes an accumulation of snow on any property adjoining a highway.
	Line Fences Act, 1979 (Municipal Affairs and Housing)	The 1979 Act is a major update of the previous Act. Provision is made for the construction of boundary fences between adjoining lands and for arbitration by fence-viewers in case of dispute. If necessary, fence-viewers may prescribe the character of a fence to suit the circumstances.
	Public Transportation and Highway Improvement Act 30(8)	The Ministry may enter on any property adjoining a highway to erect snow fences. It also has control over private fences adjoining a highway (see HIGHWAY).
	Limitations Act 4 (Attorney General)	In order to recover land upon which a neighbour's fence encroaches, action must be taken within 10 years.
	see also OBSTRUCTION OF VIEW; P.A. 40(7)(a)6	"Good Fences Make Good Neighbours" is a bulletin on administrative practices and procedures related to line fences, available from the Ontario Government Bookstore.
		"Fences in Ontario" is a comprehensive study of the legal aspects of fences, published by Municipal World Limited.
FERRIES	Public Transportation and Highway Improvement Act 100	The Minister may operate a ferry service and may subsidize a municipality to operate a ferry.
	Ferries Act (Transportation and Communications)	1 The Lieutenant Governor may license a ferry under the Great Seal for a term of up to seven years at a time.
		5 A township, town or village council may establish, operate, license and regulate ferries, with the approval of the Lieutenant Governor in council. A county council has similar power for an operation between different municipalities.
Fill	see CONSERVATION (NATURAL ENVIRONMENT); LANDFILL; WASTE MANAGEMENT	
FINANCIAL ASSISTANCE TO MUNICIPALITIES, BOARDS AND COMMISSIONS		The "red book" published by the Subsidies Branch of the Ministry of Municipal Affairs and Housing and available from the Ontario Government Bookstore gives a comprehensive overview of financial assistance available from all provincial ministries and agencies.
Fines	P.A. 66; see also ENFORCEMENT OF BY-LAWS	
FIRE MATTERS	Fire Marshals Act (Solicitor General)	The Fire Code, enacted in 1981 as a regulation pursuant to this Act, consolidates regulations from some 63 separate Acts. It includes a minimum width (20 feet or six metres) and other standards for access routes for fire department vehicles. It supersedes municipal by-laws and is designed to provide a minimum level of life safety in existing buildings.
- access routes		
- Building Code	Building Code Act O/Reg 583/83 Sec. 3.2.5	Fire safety in new construction is governed by the Building Code. It includes references to the location and width of access routes. When construction is completed, the Fire Code deals with ongoing operations and activities in the building.
	Municipal Act 210(24-45)	Council may prohibit or regulate various matters for fire safety, including prohibiting wooden buildings or fences and requiring buildings and yards to be put in a safe condition.
	Fire Department Act (Solicitor General)	1-10 Various provisions relating to full-time fire fighters in municipalities of more than 10,000 people.
	see also DANGEROUS MANUFAC- TURES	11 This Act prevails over municipal by-laws.

Subject

Reference

Description and Notes

Fixed assessment	see PARKWAY BELT; NIAGARA ESCARPMENT	
Flood control	see CONSERVATION (NATURAL ENVIRONMENT); DRAINAGE	
Flood lighting	P.A. 40(7)(a)(5)	
FLOODPLAIN	P.A. 34(1)3: see also CONSER- VATION (NATURAL ENVIRONMENT)	A provincial policy statement under Section 3 of the Planning Act is being prepared jointly by the Minister of Natural Resources and the Minister of Municipal Affairs and Housing. It will replace the Flood Plain Criteria published in 1982 by M.N.R.
Food Land Guidelines	see AGRICULTURAL LAND	
Footpaths	see BICYCLE AND FOOTPATHS	
FOREIGN LAND SALES	Real Estate and Business Bro- kers Act (Consumer & Commer- cial Relations)	
- subdivisions		37 In this Act, "subdivision" means improved or unimproved land divided or proposed to be divided into five or more lots or other units for the purpose of sale or lease and includes land divided or proposed to be divided into condominium units.
- prospectus		38 No subdivision lot outside Ontario may be sold in Ontario until a prospectus has been filed with the Registrar of Real Estate and Business Brokers. 39 No sale or lease of an out-of-province subdivision lot may be concluded unless the purchaser has signed an acknowledge- ment that he has read the prospectus approved by the Regis- trar. Rescission of the contract may be demanded by the purchaser within 90 days, if the vendor has not obtained such an acknowledgement. 40 A prospectus application must include financial particulars of the owners. The prescribed form of prospectus requires the provision of information on hard and soft services available as well as the physical characteristics of the land.
Foreign Ownership	see AGRICULTURAL LAND -	
Forests	see WILDERNESS; WOODLANDS; TREES	
Forest road	see HIGHWAY -	
Freeway	see HIGHWAY -; NOISE	
FUNERAL SERVICES ESTABLISHMENT	Funeral Services Act (Health)	1(e) "Funeral Services Establishment" means a premises established or maintained for the purpose of providing funeral services or funeral supplies to the public. 33(1)(r) Subject to cabinet approval and the Minister's prior review, the Board of Funeral Services may make regulations governing the construction, location, maintenance, etc. of funeral services establishments.
FUR FARMS	Fur Farms Act (Agriculture and Food)	1(c) "Fur farm" means premises where fur bearing animals are kept in captivity for propagation or the production of pelts for commercial purposes. 3 All fur farms must be licensed and are governed by regulations.

Subject

Reference

Description and Notes

GARAGE	Municipal Act 210	139 Council may regulate the location of garages, stables, barns, outhouses and manure pits.
		149 The power to regulate public garages does not include provisions touching the amenities of the premises. A court case published in Municipal World of May, 1981, illustrates this point. (Texaco Canada Limited v The Corporation of the City of Vanier, Supreme Court of Canada)
		152 Council may limit the number of service stations and public garages.
	Highway Traffic Act 1(1)12	"garage" means every place or premises where motor vehicles are received for housing, storage or repairs for compensation.
	Ontario Building Code	Section 9.36 applies to garages and carports serving a single dwelling unit.
	see also SERVICE STATION; AUTOMOBILE WRECKING YARD	
Garbage	see WASTE MANAGEMENT	
Garbage incinerator	see INCINERATOR	
Garbage Storage	P.A. 40(7)(a)(7)	
GASOLINE PUMP - private	Gasoline Handling Act 1(c) (Consumer & Commercial Relations)	"Consumer outlet" means any premises at which gasoline or an associated product of the operator of the outlet is put into the fuel tanks of motor vehicles used by the operator of the outlet or into portable containers used by the operator of the outlet.
	see also HIGHWAY - King's - gas pumps; OBSTRUCTION OF VIEW	
Gasoline Station	see SERVICE STATION	
Gasoline storage	see EXPLOSIVES	
Gas works	see INDUSTRIAL NUISANCES	
GEOGRAPHIC NAMES	Ontario Geographic Names Board Act (Natural Resources)	The Ontario Geographic Names Board is the statutory authority responsible for the control of names given to geographic features and unincorporated places. The board exercises authority over all place names not governed by other statutes.
Geographical referencing	see ONTARIO CO-ORDINATE SYSTEM	
Go-karts	see MOTOR VEHICLE RACING	
Golf course	see ASSESSMENT -	
Grade separation	see RAILWAY GRADE SEPARATION	
Grading	P.A. 40(7)(a)9, 58	
Grants	see FINANCIAL ASSISTANCE TO MUNICIPALITIES, BOARDS AND COMMISSIONS; MUNICIPAL GRANTS	
Gravel pit	see MINERAL AGGREGATES	
GROUP HOME	Municipal Act 236	Council may pass a by-law requiring the registration of group homes; and enforce a policy of separation between them, provided there is a zoning by-law in effect permitting group homes.
		The following definition is recommended for use in planning documents. It appears in the "Group Homes Resource Manual", available from the Ontario Government Bookstore. (\$5.)
	see also HEALTH AND SOCIAL SERVICE INSTITUTIONS - children's residence	"A group home is defined as a single housekeeping unit in a residential dwelling in which three to ten persons (excluding supervisory staff or receiving family) live as a family under responsible supervision consistent with the particular needs of its residents. The home is licensed or approved under provincial statutes and in compliance with municipal bylaws."
GUIDELINES		A series of guidelines on matters related to the Planning Act has been published by the Ministry of Municipal Affairs and Housing. The subjects include planning advisory committees, local planning in northern Ontario, delegation of the minister's authority, community improvement, working with the new regulations, public notice policies, planning application fees, zoning, site plan control, official plans, minor variances and non-conforming uses. Reference to these and other guidelines may be found under the subject heading (noise, environmental assessment, etc.)

Subject

Reference

Description and Notes

HARBOURS	Government Harbours and Piers Act (Transport Canada)	<p>3 This Act does not apply to any harbour under the control of the National Harbours Board or of any commissioners appointed by Parliament (Toronto, Hamilton, etc.)</p> <p>4 The Act applies to the use, maintenance and ordinary repairs of all other Federal harbours, wharfs, piers and breakwaters.</p>
	Harbour Commissions Act (Transport Canada)	<p>3 This Act provides for the establishment of harbour commissions for any harbour not named in the National Harbours Act or for which a harbour commission has not otherwise been established by Parliament.</p> <p>4 The proclamation establishing a harbour commission must define the limits of the harbour.</p> <p>9 A Commission "shall regulate and control the use and development of all land, buildings and other property within the limits of the harbour, and all docks, wharfs and equipment erected or used in connection therewith".</p> <p>13,19 A Commission may make by-laws regulating or prohibiting the construction of buildings or other structures, and may expropriate land.</p> <p>In an Ontario Supreme Court decision respecting Hamilton Harbour, the Court ruled that the authority of the Harbour Commission to regulate land use was restricted to navigation and shipping purposes. Lands within the harbour limits not intended for navigation and shipping uses are subject to municipal land use regulation. (e.g. industrial lands).</p> <p>Council may regulate, maintain and improve harbours.</p>
HAZARDOUS LAND	Municipal Act 208(31-38)	
	P.A. 2(a)(b), 50(4)(d)(h), 34(3)	<p>An official plan must have regard to such environmental matters as appear to be relevant...; a plan of subdivision must be reviewed with regard to conservation of natural resources and flooding; and a zoning by-law may prohibit the erection of buildings or structures on land subject to flooding or of unstable character.</p>
Hazardous waste disposal	see also CONSERVATION (NATURAL ENVIRONMENT)	
	see INDUSTRIAL NUISANCES, WASTE MANAGEMENT -	
HEALTH AND SOCIAL SERVICE INSTITUTIONS - charitable institution	Charitable Institutions Act (Community & Social Services)	<p>1(c) "Charitable Institution" means all or any part of a building or buildings maintained and operated by an approved corporation for persons requiring residential, sheltered, specialized or group care, but does not include... (a list follows of institutions governed by their own Acts).</p>
- hostel		<p>(e) "Hostel" means a charitable institution for the temporary care of transient or homeless persons.</p> <p>2 All charitable institutions must be approved by Cabinet.</p> <p>6,7 Grants may be made by the Minister to an institution or hostel for building purposes and for acquiring buildings.</p> <p>8 Maintenance grants equal to 80% or more of the cost may be paid to charitable institutions.</p> <p>12 Cabinet may make regulations governing charitable institutions.</p>
- children's residence	Child and Family Services Act, 1984 (Community and Social Services)	<p>175(a) "children's residence" means,</p> <p>(i) a parent model residence where five or more children not of common parentage, or</p> <p>(ii) a staff model residence where three or more children not of common parentage,</p> <p>live and receive residential care, and includes a foster home or other home or institution that is supervised or operated by a society, but does not include,</p> <p>(iii) a house licensed under the Private Hospitals Act,</p> <p>(iv) a day nursery as defined in the Day Nurseries Act,</p> <p>(v) a recreational camp under the Health Protection and Promotion Act, 1983,</p> <p>(vi) a home for special care under the Homes for Special Care Act,</p>

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		<p>(vii) a school or private school as defined in the Education Act,</p> <p>(viii) a hostel intended for short term accommodation,</p> <p>(ix) a hospital that receives financial aid from the Government of Ontario, or</p> <p>(x) a group home or similar facility that receives financial assistance from the Minister or Correctional Services but receives no financial assistance from the Minister under this Act;</p>
- community psychiatric hospital	Community Psychiatric Hospitals Act (Health)	<p>3 Cabinet may establish hospitals for the care of persons suffering from emotional or psychiatric disorders and any part of any institution may be approved as a community psychiatric hospital.</p> <p>7 A community psychiatric hospital is not subject to assessment or taxation for municipal or provincial purposes.</p> <p>9 Cabinet may make regulations governing community psychiatric hospitals.</p>
- day nursery	Day Nurseries Act (Community & Social Services)	<p>1(d) "Day Nursery" means a premises that receives more than five children who are not of common parentage, primarily for the purpose of providing temporary care, or guidance, or both temporary care and guidance, for a continuous period not exceeding twenty-four hours, where the children are,</p> <p>i. under eighteen years of age in the case of a day nursery for children with a developmental handicap, and</p> <p>ii. under ten years of age in all other cases,</p> <p>but does not include,</p> <p>iii. part of a public school, separate school, private school or a school for trainable retarded children under the Education Act,</p> <p>iv. a place that is used for a program of recreation and that is supervised by a municipal recreation director who holds a certificate issued pursuant to section 8b of the Ministry of Culture and Recreation Act, or</p> <p>v. a children's mental health centre under the Children's Mental Health Services Act.</p> <p>3,4,5 A municipal council may establish day nurseries and grant them aid and may enter into agreements with operators for the furnishing of day nursery, private home day care and in-home services. The Minister has similar powers in unorganized territory.</p>
- home for retarded persons	Homes for Retarded Persons Act (Community & Social Services)	<p>1(d) "Home for Retarded Persons" means all or any part of a building maintained and operated by an approved corporation for the residential accommodation of retarded persons, but does not include...(a list follows of institutions governed by their own Acts).</p>
- home for special care	Homes for Special Care Act (Health)	<p>1(a) "Home for Special Care" means a home for the care of persons requiring nursing, residential or sheltered care.</p>
- home for the aged	Homes for the Aged and Rest Homes Act (Community & Social Services)	<p>1(c) "Home" means a home for the aged established or maintained under this Act or a rest home established and maintained under this Act.</p>
- Indian Band	Homes for the Aged and Rest Homes Act (Community & Social Services)	<p>5 The Council of a band may:</p> <p>(a) establish and maintain a home; or</p> <p>(b) enter into an agreement with the councils of one or more other bands to establish and maintain a joint home, with the approval in writing of the Minister.</p>
- mental hospital	Mental Hospitals Act (Health)	<p>1(a) "Approved Home" means a home to which patients may be released from an institution in the manner provided by this Act and the regulations.</p> <p>1(e) "Institution" means an institution under this Act, and includes every approved home connected therewith.</p> <p>2 This Act applies to such institutions as are designated from time to time by the regulations.</p>
- private hospital	Private Hospitals Act (Health)	<p>1(b) "House" means a building or other structure, whether permanent or temporary, intended for human habitation and, where two or more houses are situated on adjacent pieces of land and are occupied by the same person, they shall be deemed to constitute a single house for the purpose of this Act.</p>

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Description and Notes

		<p>1(h) "Private Hospital" means a house in which four or more patients are or may be admitted for treatment, other than,</p> <ul style="list-style-type: none"> i. a hospital or other establishment or institution supported in whole or in part by provincial aid, ii. an institution in respect of which a license under the Private Sanitaria Act is in force, iii. an institution for the reclamation and cure of habitual drunkards established under the Municipal Act, iv. a children's residence licensed under Part IX (Licensing) of the Child and Family Services Act, 1984 v. a lodging house licensed under a municipal by-law. <p>18 No structural alteration or addition may be made to a private hospital until a plan of the proposed alteration or addition has been approved by the Ontario Hospital Services Commission.</p>
- public hospital	Public Hospitals Act (Health)	<p>1(e) "Hospital" means any institution, building or other premises or place established for the treatment of persons afflicted with or suffering from sickness, disease or injury, or for the treatment of convalescent or chronically ill persons that is approved under this Act as a public hospital.</p> <p>4 No hospital may be established without Cabinet approval. No addition may be made to a hospital without the approval of the Minister.</p>
- nursing home	Nursing Home Act (Health)	<p>1(f) "Nursing Home" means any premises maintained and operated for persons requiring nursing care. "Nursing Home" means any premises maintained and operated for persons requiring nursing care or in which such care is provided to two or more unrelated persons, but does not include any premises falling under the jurisdiction of, ... the Private Hospitals Act, ... the Homes for the Aged and Rest Homes Act, etc.</p> <p>3 No person may establish a nursing home or use the term "a licensed nursing home" unless it is licensed under this Act.</p>
- sanitarium	Private Sanitaria Act (Health)	<p>1(g) "Sanitarium" means an institution for the care and treatment of mental and nervous illnesses that is licensed under this Act.</p>
- sanatorium	Sanatoria for Consumptives Act (Health)	<p>1(f) "Sanatorium" means any sanatorium, institution, building or other premises or place, howsoever created, established or incorporated for the treatment of patients.</p>
Health unit	see PUBLIC HEALTH -	
HEARINGS	Statutory Powers Procedure Act (Attorney General)	<p>This Act sets rules for hearings whose outcome may affect the legal rights of individuals. It formalizes certain principles of natural justice to ensure hearings are conducted fairly. Those municipal meetings required for official plans, community improvement plans and zoning bylaws are exempted from the requirements of the Statutory Powers Procedure Act. The Planning Act itself provides for procedures on each of the planning instruments. It also clarifies that a municipality is not obligated to conduct an OMB-type hearing.</p>
	P.A. 60	
	Consolidated Hearings Act (Environment)	<p>2,4 The Act applies in respect of undertakings (defined in section 1(j)), where more than one hearing before more than one tribunal may be required under the provisions of one or more Acts (listed below). It provides for a single consolidated hearing to be held by a joint board for that undertaking, rather than a series of hearings, and the joint board can make a decision, in place of the decisions which would have been made at or after those hearings under the various Acts.</p> <p>3 At present, a consolidated hearing is held only when a proponent gives Notice to the Hearings Registrar. There is provision for other persons to give such a Notice but this provision will only come into effect on a date to be named in a proclamation. The Notice specifies the general nature of the undertaking, the hearings that are required, and the Act under which those hearings are required.</p> <p>4 Upon receipt of such Notice, the Chairman of the Environmental Assessment Board and the Ontario Municipal Board establish a joint board composed of one or more members from one or both Boards.</p> <p>7,8 Of particular note is the fact that the joint board may award the costs of a proceeding, and may recognize a person as representing a class of parties.</p>
- joint board		

Subject

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Description and Notes

		<p>13 After a decision has been made by the joint board, Cabinet may, upon application, confirm, vary, rescind or substitute the decision, or require a new hearing. Such application must be made within 30 days after the decision by the joint board.</p> <p>14 If no such application is made, the joint board's decision is final.</p>
	Schedule	<p>The Acts to which the Consolidated Hearings Act applies are: the Environmental Assessment Act, the Environmental Protection Act, the Expropriations Act (Sections 6, 7 and 8), the Municipal Act, the Niagara Escarpment Planning and Development Act, the Ontario Municipal Board Act, the Ontario Water Resources Act, the Parkway Belt Planning and Development Act, and the provisions of the following Acts relating to waste disposal site hearings: the Municipality of Metropolitan Toronto Act, the Regional Municipality of Ottawa-Carleton Act, the Regional Municipality of York Act.</p> <p>To date, Joint Boards have held preliminary hearings or hearings of discovery, in which parties to the proceedings are identified and the issues to be heard are clarified.</p> <p>Use of the Consolidated Hearings Act frequently occurs where an Ontario Municipal Board hearing for a re-zoning or an official plan amendment or municipal capital financing approval may be needed for a project which is also subject to the Environmental Assessment Act, or to the hearing provisions of the Ontario Water Resources Act (for sewage works) or the Environmental Protection Act (for waste disposal projects).</p>
	See also PUBLIC PARTICIPATION	
Heritage conservation district	see CONSERVATION (CULTURAL) -	
Heritage easement	see CONSERVATION (CULTURAL) -	
HIGHWAY	Municipal Act 298-308	<p>This deals with road widening, diversions, closings, openings, etc. and prohibition of vehicular traffic or pedestrian traffic. No highway less than 20 metres in width may be laid out by council or a land owner without the approval of the Minister of Municipal Affairs and Housing. (306)</p> <p>A road may not be closed if it would deprive a person of access to his property, unless compensation is paid and an alternative means of access is provided. (299)</p> <p>Registration of a plan of subdivision does not automatically mean the highways are assumed by the Corporation. (286)</p> <p>A Ministry of Municipal Affairs and Housing booklet entitled "Public Road Allowances - a Procedural Guideline" (May, 1981) is available from the Ontario Government Bookstore.</p>
- minimum width		
- access to property		
- assumption		
	Off-Road Vehicles Act, 1983 (Transportation and Communications)	<p>1(b) "highway", includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof.</p>
	Public Transportation & Highway Improvement Act	<p>1 Highway" means a common or public highway, or any part thereof, and includes a street, bridge or any other structure incidental thereto and any part thereof. "Road" has the same meaning as highway and "roadway" means the part of the road designed for vehicular traffic.</p>
- King's Highway		<p>31 Access to a King's Highway is controlled through a permit issued by the Minister.</p> <p>34 The Minister has control over the erection of buildings, gasoline pumps, fences, trees, etc. within 45 metres of any King's Highway and within 180 metres of any intersection. No shopping centre, stadium, drive-in theatre, etc. may be established within 400 metres except by permit from the Minister.</p>
- connecting link		<p>21 Any road deemed by the Minister to be a connecting link between parts of the King's Highway system may be so designated and the Minister may enter into agreement for the construction and maintenance of these connecting links by a municipality or by the Ministry. The proportion of the cost met by the Province varies from 75% to 100%.</p>

Subject	Reference	Description and Notes
- controlled access highway	36-39	Designation as a controlled access highway permits the Minister to close any intersecting road and to control all private access. Similar control exists over buildings, signs, shopping centres, etc. as for a King's Highway, but the distance from an intersection is increased from 180 metres to 395 metres.
- controlled access road	96-98	A municipality may, with approval of the Minister and the O.M.B., designate a controlled access road and close intersecting roads and restrict access.
- secondary highway	40	All the provisions applying to a King's Highway apply also to a secondary highway.
- tertiary road	41	An existing road in unorganized territory may be designated as a tertiary road, whereupon all regulations for a King's Highway apply, except sections 30 and 31. M.T.C. maintains these roads but need not clear snow and is not liable for damage.
- resource road	42	A tertiary road may be designated as a resource road. As a result certain load limits and other provisions of the Highway Traffic Act do not apply.
- industrial road	43	A private road used for lumbering, pulp or mining operations and also by the public may be designated as an industrial road. The Minister and the owner may enter into an agreement re maintenance.
- county road	44-61	Various provisions relating to the establishment and maintenance of a county road system, including bridges. A county is not liable for sidewalks.
- zoning	62	A county has, with respect to land within 45 metres of a county road, all the power conferred on a local municipality by Section 34 of the Planning Act. Such county by-law would take precedence over a local by-law in case of conflict.
- gas pumps, signs	63	A county may prohibit or regulate (and provide for the issuance of permits for) gas pumps within 45 metres and advertising signs within 400 metres of a county road. (See also OBSTRUCTION OF VIEW).
- suburban road	65-71	Certain county roads may be designated as suburban roads. Cities and separated towns contribute to their construction and maintenance and are represented on the suburban roads commission. Suburban roads continue to be county roads.
- township road	72-77	Various provisions relating to grants, cost sharing with a neighbouring town, etc.
- resort subdivision	78	A township council may levy a higher road rate upon suburban or resort subdivisions than upon the rest of the township. (With the Minister's approval).
- city, town, village road	79-86	Various provisions relating mainly to subsidies.
- district, metropolitan, or regional road	87-89	Various provisions relating mainly to subsidies.
- development road	90	If the traffic load on a township road requires greater expense than the municipality can afford, the Minister may designate it a development road and subsidize it
- expressway	99(a)	"Expressway" means a divided arterial highway that is accessible only from intersecting arterial streets at intersections at grade that have been approved by the Minister and, where required by the volume of traffic, at grade separated interchanges that have been approved by the Minister.
- freeway	99(b)	"Freeway" means a divided arterial highway that is accessible only from intersecting arterial streets at grade separated interchanges that have been approved by the Minister.
- access road and common road	see MOTOR VEHICLE ACCESS TO PROPERTY	
- forest road	Public Lands Act (Natural Resources)	45-52 Private and public forest roads on public lands are defined. The right-of-passage over these roads is also defined and Ministerial agreements to secure public right-of-passage on private forest roads are also explained.
- use of space over or under a highway	Municipal Act 309(4)	Council may make agreements for pedestrian walkways over or under a highway.
	Public Transportation & Highway Improvement Act 2(3)	The Minister may authorize the use of space over or under a highway under the jurisdiction of his ministry.

Subject

Reference

Description and Notes

- leasing use of untravalled portions	Municipal Act 310	Council may lease or license the use of untravalled portions of highways under its jurisdiction to the owners of abutting land; the use of that land may be controlled for parking or other purposes.
- jurisdiction		257-272 These sections describe what constitutes a public highway and clarify that a council of a municipality has jurisdiction over the public highways and bridges in that municipality, unless that jurisdiction has been expressly conferred upon another council.
- Historic preservation	see also ROAD... OBSTRUCTION OF VIEW; BICYCLE AND FOOTPATH; PRIVATE ROAD - snow-plowing; SETBACKS; BOULEVARDS: NOISE	
HISTORICAL PARK	see CONSERVATION (CULTURAL) Historical Parks Act (Tourism & Recreation)	This Act provides for the establishment and management of parks in the nature of outdoor museums, such as Saint Marie among the Hurons and Old Fort William. "Historical Park" is also a class of park defined by the Ministry of Natural Resources pursuant to the Provincial Parks Act, but it refers to a different type of park, such as the Petroglyphs Park.
Holding by-law	Historic Sites and Monuments Act (Federal) P.A. 35	
HOLIDAY CLOSINGS FOR RETAIL BUSINESS	Retail Business Holiday Act (Solicitor General)	This Act establishes certain holidays on which retail businesses are to be closed. The exceptions include small grocery stores, milk stores, news and tobacco stands, drug stores, antique shops, flower shops, garden centres, fruit and vegetable stands, service stations and others permitted by the Lord's Day Act (Canada) and the lord's Day Act (Ontario).
	see also EARLY CLOSING BY-LAWS	4(i) Where it is essential for the maintenance or development of a tourist industry, the council of a municipality may by by-law provide that section 2 (enforcing the retail closings) does not apply, such a by-law or regulation (exempting certain businesses) may classify retail business establishments by size, number of persons employed, character of business, location or any other criterion.
Home for Retarded Person Home for Special Care Home for the Aged	see HEALTH AND SOCIAL SERVICE INSTITUTIONS	
Home Improvement Loans	See Housing -	
HOME OCCUPATION	Industrial Safety Act (Labour)	1.12 "Homework" means the doing of any work in the manufacture, preparation, improvement, repair, alteration, assembly or completion of any article or thing or any part thereof by a person for wages in premises occupied primarily as living accommodation.
Home ownership loans	see HOUSING -	
Home renovation	see HOUSING - rehabilitation, conversion	
Hospital	see HEALTH AND SOCIAL SERVICES INSTITUTIONS - mental hospital - private hospital - public hospital	
Hostel	see HEALTH AND SOCIAL SERVICE INSTITUTIONS charitable institution	

Subject

Reference

Description and Notes

HOTEL	Hotel Fire Safety Act (Solicitor General)	<p>1(b) "Hotel" means an establishment consisting of one building or two or more connected or adjacent buildings that provides sleeping accommodation for the public and is licensed or required to be licensed under the Tourism Act or the Liquor Licence Act, but does not include a one storey building that,</p> <ul style="list-style-type: none"> i. has a total floor area of less than 3,000 square feet, ii. is not attached to any other building, and iii. is at least thirty feet distant from any other building that is a hotel within the meaning of this clause. <p>1(g) "Storey" means that part of a building between the top of a floor and the top of the next floor above it, or if there is no floor above it, that part between the top of a floor and the ceiling above it, but does not include a penthouse that is not used by the public, and the storey closest to grade having its ceiling more than six feet above grade shall be deemed to be the first storey.</p> <p>9 The interior and exterior finish materials of every hotel must meet the standards prescribed by the regulations made under this Act.</p> <p>19 Regulations under this Act may govern, among other matters, the construction and alteration of hotels.</p> <p>20 Where conflict exists between any regulation made under this Act and any municipal by-law, the regulation prevails.</p>
HOUSING - OHC	Ontario Housing Corporation Act	<p>This Act establishes the Corporation, which may make loans, grants, etc., or enter into agreements for which the Minister or the cabinet are authorized under the Housing Development Act.</p>
- OHRP	Housing Development Act	<p>1 "Building development" and "building development corporation" are defined. In this Act, "municipality" includes a regional municipality.</p> <p>2 Cabinet may guarantee loans, advance money, etc. for building development, for the acquisition and rehabilitation of housing units and for urban renewal. Provision is made for financial assistance for rent supplements, mortgages, etc.</p>
- rent supplement		<p>The Minister may make grants or loans to a municipality or persons to assist in the repairs, rehabilitation, improvement or conversion of real property used or to be used for residential purposes.</p>
- grants or loans		<p>3 The Minister may make grants in aid of housing studies and research. (This is administered by the Field Operations Branch, Ontario Housing Corporation).</p>
- research grants, municipal housing statements		<p>7 Municipalities, the province and the federal government may co-operate in joint housing projects. A housing corporation may carry out and manage a housing project.</p>
- joint projects		<p>8 The Ministry may expropriate land for a housing project.</p>
- expropriation		<p>13 A municipality may establish one or more non-profit housing corporations to provide and operate housing accommodation at rentals below the current market for persons of modest income.</p>
- municipal non-profit housing corporation		<p>17 If there is an official plan in effect in a municipality that includes provisions relating to the provision of housing, which provisions have been approved by the Minister subsequent to the coming into force of this section, or if the council of a municipality has adopted a policy statement containing provisions relating to the provision of housing, which statement has been approved by the Minister, the council of the municipality may,</p> <ul style="list-style-type: none"> (a) acquire and hold land, with or without holdings thereon within the municipality for the purpose of a housing project, (b) survey, clear, grade, subdivide, service and otherwise prepare such land for the purpose of the project; and (c) sell, lease or otherwise dispose of such land for a nominal or other consideration for housing purposes.
- adjoining land		<p>18 A municipality may enter into an agreement with any person or governmental authority undertaking a housing project to provide that certain specified uses of land are maintained adjoining the project for a specified period.</p>
- temporary projects		<p>19 In an emergency, a municipality may erect temporary housing accommodation.</p>

Subject	Reference	Description and Notes
- Ministry of Municipal Affairs and Housing	Ministry of Municipal Affairs and Housing	This Act establishes the Ministry and describes its functions and objectives in very broad terms.
- family housing unit	National Housing Act (C.M.H.C.)	2 The Act includes several pages of definitions, including the following: "Family housing unit" means a unit providing therein living, sleeping, eating, food preparation and sanitary facilities for one family, with or without other essential facilities shared with other family housing units.
- farm		"Farm" means land used for any tillage of the soil, including livestock raising, dairying and fruit growing.
- house		"House" means a building, together with the land upon which it is situated, intended for human habitation comprising not more than two family housing units.
- housing project		"Housing project" means a project consisting of one or more houses, one or more multiple-family dwellings, housing accommodation of the hostel or dormitory type, two or more condominium units or any combination thereof, together with any public space, recreational facilities, commercial space and other buildings appropriate to the project, but does not include a hotel.
- multiple-family dwelling		"Multiple-family dwelling" means a building containing three or more family housing units.
- one-family dwelling		"One-family dwelling" means a house consisting of one family housing unit not attached to or forming part of any other house.
- semi-detached dwelling		"Semi-detached dwelling" means a family housing unit joined by a common or party wall to one other family housing unit.
- mortgages	Part I	5-12 Part I deals with insured mortgage loans.
- rental housing	Part II	13 C.M.H.C. may contract with builders to guarantee rentals from low income housing of over 7 units. 14 The above rental housing projects may be financed to 85% of their cost.
- low rental housing		15 Low rental housing projects may be financed by C.M.H.C. loans for up to 95% of the lending value of the project. (The program is currently inactive.)
- non-profit or community sponsored housing	see also COMMUNITY IMPROVEMENT	15.1 For charitable, co-operative or municipally-owned projects, the maximum loan may be 100% of the lending value of the project. 16 C.M.H.C. may make loans for low or moderate cost housing in connection with mining, lumbering or fishing.
- urban renewal	Part III	27 Funds have been cut off. See URBAN RENEWAL.
- home improvement loans	Part IV	28-33 C.M.H.C. may guarantee bank loans for home improvement.
- Residential Rehabilitation Assistance Program (R.R.A.P.)	Part IV.1	34.1 Loans may be made to the owners of family housing units for improvement and rehabilitation, but only in areas where standards of maintenance and occupancy have been adopted. Loans may also be made to non-profit corporations to convert dwellings to multiple occupancy, hostels, etc., and to Indian individuals, groups or a band council, with the consent of the Minister of Indian Affairs and Northern Development.
- home ownership loans		34.15 Loans may also be made to assist in the construction or acquisition of houses or condominium units by individuals.
- co-operative housing		34.18 Loans or contributions may be made to assist co-operative housing associations. (Currently inactive.)
- research, etc.	Part V	35 C.M.H.C. is responsible for research into housing conditions, for the promotion of improved housing and for encouraging the adoption of community plans. Grants are available under the community organization program. 36,37 More specific descriptions of C.M.H.C. powers and responsibilities re section 35.

Subject	Reference	Description and Notes
- public housing	Part VI	40 C.M.H.C. may undertake public housing projects jointly with any provincial agency.
- rural housing programs		Two programs are active: (a) The provision of ownership accommodation for low income families in communities of under 2500 population. Administered by C.M.H.C. Subsidies shared by the Province and the Federal government. (b) The provision of senior citizen rental units in communities of under 2500 population. Administered by the Ontario Housing Corporation, managed by local housing authorities. Subsidies shared by the Province and the Federal Government.
- land assembly		42-43 C.M.H.C. may make loans to public housing agencies to acquire and service land for housing purposes, and to build or acquire public housing (Maximum 90%). (Inactive.)
- new communities	Part VI.1	44 C.M.H.C. may make contributions to subsidize housing accommodation for persons of low income.
- student housing	Part VII	45.1 See NEW COMMUNITIES. 47 C.M.H.C. may make loans to a municipality, provincial agency, hospital, school board, university, co-operative association or charitable corporation for student housing projects (Maximum 90%).
- water and sewerage projects	Part VIII	50 See WATERWORKS; SEWERAGE; COMMUNITY IMPROVEMENT.
- rent subsidy		56.1 Canada Mortgage and Housing Corporation may make contributions to reduce rents in housing projects operated by a non-profit corporation, a province, a municipality, a public housing agency or an Indian group.
- veterans'	see HOUSING - National Housing Act, sec 15.1, 34.15, 34.16; VETERANS' LAND	
HUMAN RIGHTS IN ACCOMMODATION	Human Rights Code, 1981 (Labour)	The Code includes provisions for equal treatment in the occupancy of accommodation, without discrimination because of race, ancestry, colour, creed, sex, handicap, age, origin or receipt of public assistance.
HYDRO-ELECTRIC POWER	Power Corporation Act (Energy)	This Act describes the authority and function of Ontario Hydro, in general terms (51), and more specifically: 23(1) Ontario Hydro may be authorized by Cabinet to acquire or flood any land, if necessary without the owner's consent; and to divert any watercourse. 32(2) Ontario Hydro may enter upon land adjoining a power right of way to remove obstructions.
- entry on private property		63,72 Municipal agents may enter on private property without the owner's consent to erect transmission lines and to interrupt or decrease delivery of power. 67 A Township Council may, with Ontario Hydro approval, distribute power in the whole municipality or in part of it, and may establish a Hydro-Electric Commission.
- area rate		82 A Township Council may contract with Ontario Hydro for street lighting and may establish an area rate. 83 All of Ontario not forming part of an area with a Hydro contract is deemed to form one rural power district, wherein the Corporation supplies power directly.
- underground wiring		104-106 Ontario Hydro may direct that all telegraph, telephone and hydro wires be placed underground in cities and towns.
	Rural Hydro-Electric Distribution Act (Energy)	1,2 Grants of up to 50% may be made to municipalities or commissions supplying power to areas in a rural power district or to an adjoining township.
	see also P.A. 61	

Subject

Reference

Description and Notes

IMPOSTS	Municipal Act 166	Contributions received by municipalities in connection with a subdivision may only be used for expenditures benefitting the occupiers of that subdivision. If not required or not likely to be required for the above purpose, however, the contributions may be expended for some other purpose.
	Municipal Act 215	With O.M.B. approval, Council may impose a special charge on classes of buildings that may impose a heavy load on the sewer or water system. These charges are a lien against the property.
	see also CAPITAL LEVIES; AREA RATES	
IMPROVED LAND	Municipal Affairs Act 20(a)	"Improved Land" means a parcel of land separately assessed that has a building thereon, and includes any land in actual use for agricultural purposes, although there is no building thereon.
IMPROVEMENT DISTRICT	Municipal Act 10(2), 11, 357-359	A municipal entity like a township or village but with a 3 person Board of Trustees appointed by Cabinet instead of an elected council.
	Municipal Affairs Act Part III	An improvement district is under the direct supervision of the Ministry of Municipal Affairs and Housing.
Improvement permit	see PUBLIC LANDS - restricted area	
INCINERATORS	Municipal Act 210(44)	Council may prohibit garbage incinerators in any class of buildings erected after September 1, 1966.
	Waste Management Act Regulation II	Regulation II relates to standards of location and operation.
INDEX OF MUNICIPAL BY-LAWS	Municipal Act 78 see also MUNICIPAL CODE	The clerk of every municipality must keep an index book of every zoning by-law and every other by-law that affects land without directly affecting title of land.
	Registry Act 1(f) (Consumer and Commercial Relations)	Any municipal by-law that affects land may be registered as an instrument.
INDEX OF STATISTICAL FILES		This publication contains descriptive information on the main statistical data files in the Ontario government. A useful reference document for information officers, researchers and others needing to know what statistical material may be obtained from government sources. It describes the contents of each statistical file and gives the originating Ontario government agency. For ease of reference all files are cross-indexed by subject. Price \$5.00, from the Publications Centre, 880 Bay Street, Toronto.
Index Plan	see REGISTRAR'S COMPILED PLAN	
Indian Band - home for the aged	see HEALTH AND SOCIAL SERVICE INSTITUTIONS - home for the aged	
INDUSTRIAL NUISANCES	Municipal Act 210(128)	Council may regulate potentially noxious trades and may prohibit or regulate tanneries, gas works, distilleries or other manufactories that may cause a nuisance.
	Public Health Act 130	Consent of the local board or the municipal council must be obtained for the establishment of any of the following trades: blood boiling, bone boiling, refining coal oil, extracting oil from fish, storing hides, soap boiling, tallow boiling, tripe boiling, slaughtering animals, tanning hides or skins, manufacturing gas, manufacturing glue, manufacturing fertilizer from dead animals or from human or animal waste, or any other trade that is or may become offensive. Provision is made for a fine of up to \$250, plus \$20 per day.
Industrial Park	see INDUSTRIAL SITES	
Industrial roads	see HIGHWAY -	
Industrial sewage disposal	see SEWERAGE	

Subject	Reference	Description and Notes
INDUSTRIAL SITES	Municipal Act 210(50)	Council may acquire and expropriate land for industrial sites and may sell or lease it for industrial use.
	Development Corporations Act 8	The Ministry of Industry and Trade Program of assistance to municipalities for the establishment of industrial parks was terminated on March 31, 1984.
Industrial Waste	see WASTE MANAGEMENT	
INHIBITING ORDER	LAND TITLES ACT 23 (Consumer & Commercial Relations)	The Supreme Court, the director of titles or the proper master of titles may issue an order or make an entry inhibiting any dealing with registered land until the occurrence of a named event or a further order. Upon application, the court or the director or master of titles would normally make enquiries and notify such persons as considered necessary before issuing an order or making an entry.
Interim Control By-law	P.A. 37	
INTERPRETATION	Interpretation Act (Attorney General)	Where an Interpretation Section exists in any act, such as the definitions in the Municipal Act, it applies in addition to the definitions, rules and exceptions in the Interpretation Act. The interpretation section of the Municipal Act extends to all Acts relating to municipal matters.

Subject

Reference

Description and Notes

Joint board

see HEARINGS -

JOINT PLANNING AREA

P.A. 9

Under the new Planning Act, the only remaining planning areas are joint planning areas in northern Ontario and areas made up entirely of unorganized territory. Guideline 2 on the Planning Act, entitled "Local Planning in Northern Ontario" deals with joint planning.

JUDGE'S ORDER

Registry Act 86 (Consumer & Commercial Relations)

Upon the application of a municipality, a county or district court judge may cancel in whole or in part any registered plan, or may close or divert a road on a registered plan, impose terms and conditions, etc.

JUDGE'S PLAN

No part of any road or lane may be closed or diverted without the written consent of the owner of the abutting lot(s). No order may be made to amend a plan approved under Section 50 of the Planning Act without the prior consent of the Minister responsible for the Planning Act.

The provision in the Land Titles Act for a Judge's Plan has been deleted. Problems with inadequate boundary descriptions are now handled under the Boundaries Act. A judge's plan was similar to a Registrar's Compiled Plan but was ordered by a Judge on application of the Director of Titles.

JUNK YARDS

Municipal Act 228

Council may license and regulate salvage yards, junk dealers, car wreckers, etc.

Public Health Act 131

Any place where junk, rags, bones, refuse, etc. are stored must be approved by the medical officer of health.

see also AUTOMOBILE WRECKING YARDS

K

KING'S HIGHWAY

see HIGHWAY -

Subject	Reference	Description and Notes
LAKES AND RIVERS	Lakes and Rivers Improvement Act (Natural Resources)	<p>2 Much of this Act referred originally to the floating of timber. Since 1971, its purpose has been broadened and is described as being to provide for the use of waters of the lakes and rivers of Ontario and to regulate improvements in them, and to provide for:</p> <ul style="list-style-type: none"> (a) the preservation and equitable exercise of public rights in or over such waters; (b) the protection of the interests of the riparian owners; (c) the use, management and perpetuation of the fish, wildlife and other natural resources dependent on such waters; (d) the preservation of the natural amenities of such waters and on the shores and banks thereof; and (e) ensuring the suitability of the location and nature of improvements in such waters, including their efficient and safe maintenance and operation and having regard to matters referred to in clauses a, b, c, and d, their operation in a reasonable manner. <p>3 The Cabinet may make regulations respecting the use of lakes and rivers and waters therein. The maximum fine is \$5,000.</p>
- dams		13-29 No dam may be built without approval from the Minister, except in emergency. Various provisions relate to dam repairs, etc.
- aesthetics		35-36 The Minister may order the removal of any tree, refuse, substance or matter deposited in a lake or river in a manner as in his opinion impairs the natural beauty of the water body.
- pollution from a mill		38 The throwing of any refuse, sawdust, chemical, substance or matter from any mill into a lake or river, or on the shore or banks thereof, is prohibited. Provision is made for fines of not less than \$50 per day.
- occupied water privilege		90 "Occupied water privilege" means a mill privilege, or water power, that has been or is in use for mechanical, manufacturing, milling or hydraulic purposes, or for the use of which for any such purposes the necessary works are bona fide in course of construction.
Land Assembly	see HOUSING - municipal housing projects, - Land assembly; INDUSTRIAL SITES; P.A. 25, 57-59; EXPROPRIATION; ONTARIO LAND CORPORATION	
Land Compensation Board	see EXPROPRIATION -	
Land Division Committee	P.A. 54 and 55	
LAND REGISTRATION	Registry Act and Land Titles Act (Consumer & Commercial Relations)	<p>There are two land registration systems in Ontario: the Registry System and the Land Titles System. The fundamental purposes of both systems are to give public notice of interests which are claimed in land, to establish priorities between claimants to land, and to provide an orderly method of recording and of registers where title can be searched.</p> <p>The <u>Registry System</u> is a registry of documents affecting the title of land or an indexed filing system for real property. It ensures that most outstanding interests will be shown on the abstract but a purchaser must still satisfy himself by title search of the legal effect of the registered instruments. Almost any document purporting to affect the title of land may be accepted for registration in a registry office, provided it complies with certain formalities regarding execution, affidavits and description.</p> <p>The <u>Land Titles System</u> is a true register of titles, which authoritatively establishes title. No transfer is effective until recorded but, once this is done, it cannot, apart from fraud, be upset. The title is guaranteed by the Province, backed by an Assurance fund, and no one can acquire rights through mere possession or use of the land. The types of documents acceptable for registration are few in number and must be in the form prescribed by the Act.</p> <p>There is no rule of general application by which it can be determined if a parcel is under one system or the other. The Registry System is the older and originally applied to the entire province. Nearly all of Northern Ontario is under the Land Titles System, which was introduced in 1885 when very little development had occurred in the north. In Southern Ontario, land becomes subject to Land Titles by the voluntary act of the owner in applying to the land registrar for registration under that Act. However, many areas of the province operate exclusively under the Registry System and have no Land Titles Office. (See Directory of Registry and Land Titles Offices in the Municipal Directory). Subdivision of land by registered plan is virtually the same under the two systems. If part of a lot or block is being conveyed, only under Land Titles must an affidavit be filed showing compliance with Section 50 of the Planning Act. Under the Registry System this requirement is waived because it is fairly easy for a title examiner to ascertain ownership of adjoining parcels.</p>
- Land Titles Procedural Guide		

Subject

Reference

Description and Notes

	Land Registration Reform Act, 1984 (Consumer and Commercial Relations) O.Reg. 35/85 P.A. 49 (21a)-(21d)	<p>The regulation under this Act prescribes new forms to be used for all instruments registered and documents deposited under both the Registry Act and the Land Titles Act.</p> <p>The Act creates five standard types of documents:</p> <ol style="list-style-type: none"> Transfer/deed of land, Charge/mortgage of land, Discharge of charge/mortgage, Document general, Schedule. <p>Unless these forms are used no registrations in either the land titles or the registry offices will be allowed.</p> <p>Part I contains new terms which replace old ones to bring them up to date and into conformity with the new documents and procedures.</p> <p>"Transfer" replaces the word "deed" to cover all conveyances of freehold and leasehold lands. "Document" replaces the term "instrument." "Charge" replaces "mortgage" to describe charges given to secure payment of monies or the performance of other obligations by means of a charge or lien against the charger's property. "Discharge" is used to describe cessations of charges and discharges of mortgages.</p> <p>Part II of the Act facilitates the wider use of modern information technology in Ontario's land registration systems. The Act requires that where land has been designated under Part II, the land registrar will be required to create property maps for the land. The maps will indicate blocks consisting of one or more properties. Registered documents will be organized accordingly. Part II is designed to take effect across the province in stages, starting in part of the County of Oxford. Rusty Russell describes the situation, in his inimitable style, in <i>Municipal World</i> for March, 1985.</p>
- Automated Recording and Property Mapping System (Polaris Project)		
LAND SEVERANCE	see CONSENT	
LAND SPECULATION TAX	Land Speculation Tax Act (Revenue)	This Act was repealed in 1978.
Land use conditions	See PUBLIC LANDS - sale or lease	
Land use plan	see OFFICIAL COMMUNITY PLAN; OFFICIAL PLAN; STRATEGIC LAND USE PLAN	
Land value	see ASSESSMENT	
LANDFILL	Environmental Protection Act Regulation 309	<p>1.20 "Landfilling" means the disposal of waste by deposit, under controlled conditions, on land or on land covered by water and includes compaction of the waste into a cell and covering the waste with cover materials at regular intervals.</p> <p>1.8 "Dump" means a waste disposal site where waste is deposited without cover material being applied at regular intervals.</p>
	see also WASTE MANAGEMENT - standards; CONSERVATION - dumping fill	
Landscaping	P.A. 40(7)(a)6	
LANDS IN TAX ARREARS	Municipal Affairs Act 40	Where any part of taxes are unpaid, property may be taken over by the municipality after one year (for vacant land) or three years (for improved land).
LAUNDRIES	Municipal Act 210(158,159)	Laundries and self-service laundries may be regulated.
LEASING OF LAND	Municipal Act 193(2)	Council may lease any land it has acquired.
	see also PUBLIC LANDS - sale or lease	
Leasing of portion of highway	see HIGHWAY -	
LETTERS PATENT		Grant by the Crown of lands, franchises, etc. contained in charters or instruments not sealed up but exposed to open view with the Great Seal pendent at the bottom.
Levies (lot levies)	see IMPOSTS; CAPITAL LEVIES	

Subject	Reference	Description and Notes
LIBRARIES	Public Libraries Act, 1984 (Citizenship and Culture)	This new Act came into force in 1985. A library board may acquire land. The Expropriation Act applies. One new clause provides that a library board "may operate special services in connection with a library as it considers necessary" 20(d).
Licence of occupation	see PUBLIC LANDS -; PROVINCIAL PARKS	
LICENSING AND REGULATING	Municipal Act 110	<p>The power to license includes the power to prohibit and to refuse a licence at the discretion of Council. However, the courts do not seem to interpret this in the way a layman might. See, for example, Malette vs. Eldon, Municipal and Planning Law Reports, Vol.4 Part 3, August 1978.</p> <p>As used frequently throughout the Municipal Act, "licensing and regulating" implies only a limited power to regulate. For instance, regulating a public garage doesn't include provisions touching the amenities of the premises, such as a fence. (Texaco Canada Limited v City of Vanier, March 19, 1981, Supreme Court of Canada).</p>
Line fences	see FENCES	
Liquid Waste	see WASTE MANAGEMENT	
LITTER	Municipal Act 315(5)	Council may prohibit the throwing of paper, handbills, dirt, glass or other refuse on any road.
	Municipal Act 210(7b)	The council of a local municipality may prohibit littering of private or public property.
	Environmental Protection Act 73-78 and 3(a), 3(h)	3 No person may abandon any material likely to become litter. Provision is made for fines of up to \$100 for a first offence and \$1000 subsequently.
Livestock barns	see AGRICULTURAL POLLUTION	
Loading Space	P.A. 34(1)6 and 40(7)(a)3	
Local architectural conservation advisory committee	see CONSERVATION (CULTURAL) -	
LOCAL BOARD	Municipal Affairs Act 1(c)	"Local Board" means a school board, public utility commission, transportation commission, public library board, board of park management, local board of health, board of commissioners of police, planning board, or any other board, commission, committee, body or local authority established or exercising any power or authority under any general or special Act with respect to any of the affairs or purposes, including school purposes, of a municipality or of two or more municipalities or parts thereof.
Local board of health	see PUBLIC HEALTH -	
LOCAL IMPROVEMENTS	Local Improvement Act (Municipal Affairs and Housing)	<p>1.25 "street" includes a lane, alley, park, square, public drive and public place, or a part of any of them.</p> <p>2 Works that may be undertaken as local improvements include: street widening and improving, incl. sidewalks, boulevards, sodding, planting, etc.; bridges, sewers, watermain, extensions of gas, light, heat or power works, parks up to 1 hectare, shore protection works and retaining walls.</p> <p>64 Ordinary maintenance is not included but street cleaning, snow cleaning, snow clearing, grass cutting, etc. may be charged on a frontage basis.</p> <p>67 A township or village may also construct waterworks, sewerage works and street lighting works.</p> <p>6 For works over \$50,000 O.M.B. approval is required if someone objects to the work. Costs may be borne by the entire municipality or by a section thereof or may be shared between the municipality and/or a section thereof, and the lots abutting the work.</p> <p>7 Local improvements may be undertaken on petition, on council initiative ("the initiative plan") or on the recommendation of the Minister of Health. Alternatively, council may proceed without petition, but with O.M.B. approval, for certain works.</p> <p>12 Owners may petition against a council initiative. Majority opposition may kill a project for at least 2 years.</p>

Subject

Reference

Description and Notes

		20	Except as otherwise provided, costs are assessed to abutting lots on a frontage basis.
		21-52	Various procedures for distributing costs of local improvements are described.
		70	Council may adopt the local improvement system by by-law and thereafter certain works may only be undertaken as local improvements.
	Town of Midland Act, 1980		Generally, if a work such as a street, sewer or watermain has been installed at one owner's expense, the owners of abutting lots may connect to the work without paying any share of the cost. This Act provides for proportional payments from all abutting owners before they may connect.
	see also SIDEWALKS -		
Local municipality	see MUNICIPALITY		
LOCAL ROADS BOARD	Local Roads Board Act (Transportation and Communications)	2	This Act applies only in territory without municipal organization.
		7	Ten or more owners of land in an area may call a meeting to consider the establishment of a local roads area. The Minister may establish the area upon petition from such a meeting. Three trustees are elected.
		10	The Board may, subject to the Minister's approval, determine the work to be performed on local roads in a local roads area.
		19	All land as defined in the Provincial Land Tax Act is liable to assessment and taxation for local roads purposes.
		31-33	Local roads taxes are remitted to the Minister, who adds two dollars for every dollar received, plus an amount in respect of unoccupied Crown Land, and the Minister undertakes the work determined and approved under Section 10.
		39	The Statute Labour Act ceases to apply to a local roads area.
LOCAL SERVICES BOARD	Local Services Boards Act (Northern Affairs)		The Minister may establish a Local Services Board in a community located in territory without municipal organization. The order establishing the Board may permit it to exercise jurisdiction over water supply, sewage collection and treatment, garbage collection, street or area lighting, fire protection or recreation.
			A Board may consist of 3 or 5 members, elected annually. A surcharge may be added by the Minister of Revenue to the provincial land tax collected in the Board area and grants may be made by the Minister of Northern Affairs to finance Board operating expenses. In 1983, there were about 20 L.S.B.'s in existence. They are in the Municipal Directory, under the District in which they are located.
LODGING HOUSE	Municipal Act 208(61)		Council may regulate lodging houses, provide for the issuing of licences by the local board of health and prohibit the use of licensed premises except for the use for which the licence was issued.
	Assessment Act 7(10) (Revenue)		"Rooming house" means any house or building or portion thereof in which the proprietor supplies lodging, for hire or gain, to other persons with or without means in rooms furnished by the proprietor with necessary furnishings and does not include a hotel as defined in the Hotel Registration of Guests Act.
	Building Code Act Ontario Reg. 583/83 as amended		<u>Boarding, lodging or rooming house means building where,</u>
		(i)	<u>building height does not exceed 3 storeys and building area does not exceed 600 m²,</u>
		(ii)	lodging is provided for gain with or without meals for more than 3 persons, and
		(iii)	lodging rooms do not have both bathrooms and kitchen facilities for the exclusive use of individual occupants.
	See also PUBLIC HEALTH -		
Lot levies	see IMPOSTS; CAPITAL LEVIES		
Low rental housing	see HOUSING -		

Subject	Reference	Description and Notes
Main street revitalization	see BUSINESS IMPROVE- MENT AREA	
Maintenance and occupancy standards	P.A. 31	The Ministry of Municipal Affairs and Housing has published a pamphlet entitled "All Together Now" and a handbook for property standards officers, entitled "Conserving and Improving our Property". A model by-law is also available.
MANDAMUS		For a discussion of the rights of competing interests in mandamus applications for building permits, see Municipal Planning and Law Reports, Vol. 9, Part 4, June, 1980.
Maps	see TOPOGRAPHIC MAPS; BASE MAPPING	
MARINAS	Ontario Water Resources Act 44(1)(1) Gasoline Handling Act 1(j) (Consumer & Commercial Relations)	The Minister may regulate marinas to control pollution. (Regulation 310) "Marina" means any premises at which gasoline or an as- sociated product is sold and is put into the fuel tanks of motor boats and other craft or into portable containers. The Ministry of Municipal Affairs and Housing's Marina and Boating Facilities Program provides subsidies to municipi- palities for the construction, improvement or repair of mu- nicipally-owned marina and boating facilities.
Market value	see ASSESSMENT -	
Mausoleum	see CEMETERY	
MESSAGE PARLOURS	Municipal Act 210(160)	Council may regulate message parlours and enforce the regu- lations through the health department or the police depart- ment.
Master Plan	see OFFICIAL PLAN	
METES AND BOUNDS		"Metes and Bounds" refers to a system of describing land by means of a written description referring to metes - measures of length - and natural or artificial boundaries. The de- scription follows a course from a fixed point called a monu- ment or marker to other fixed points until the area is en- tirely enclosed. Schedule II of this Act provides the metric equivalent of 1 yard. 1 yard = 9144/10,000 metre
METRIC SYSTEM	Weights and Measures Act (Federal - Consumer & Corporate Affairs) Registry Act O. Reg. 898/80 Boundaries Act O/Reg. 85/80 Certification of Titles Act O/Reg. 98/80 Land Titles Act O. Reg. 554/80 Condominium Act (Consumer & Commercial Relations) O. Reg. 122/80 Metric Conversion Statute Law Amendment Act (Industry and Trade) P.A. 42	This Regulation provides information in both the metric and imperial systems on the maximum permissible error in closure for a subdivision perimeter survey. Maximum permitted distances for other surveying technicalities are also given in both metric and imperial measurements. If metric measurements are used on a plan of survey, a standard note must be included to indicate that all measurements are in metres and can be converted to feet by dividing by 0.3048. The Ministry of Consumer and Commercial Relations has pro- duced a metric information kit for use in the land registra- tion systems. (June, 1976). Since July 1, 1976, plans have been accepted at Land Registry offices in either imperial or metric units. This Act converts measurements in many different Acts into the metric system. Not all parts have been proclaimed. Part VII, proclaimed on January 22, 1979 contains amend- ments to the Planning Act which will facilitate the use of metric measurements in municipal planning documents. A pamphlet entitled "Metric Conversion of Planning Documents" has been produced by the Ministry of Municipal Affairs and Housing to provide information to municipali- ties. It is available from the Ontario Government Bookstore.
MINERAL AGGREGATES	Pits and Quarries Control Act (Natural Resources)	1 Pits, quarries and wayside pits are defined. (The latter are temporary pits for road projects). 2 The Act applies only to the areas designated by Cabinet regulation. Over 400 townships have been designated, mostly in southern Ontario. A list may be obtained from any district office of the ministry.

Subject

Reference

Description and Notes

		<p>4 No pit or quarry may be established without a licence from the Minister. Applications must include a site plan, including land use within 150 metres of the boundaries of the lands to be set aside for the pit or quarry. Operations must conform to the site plan.</p> <p>5 If anyone objects to an application, the matter must be referred to the O.M.B.</p> <p>6 The Minister may refuse to issue a licence if it is against the public interest, in his opinion. No licence may be issued if the location contravenes an official plan or local by-law. Where there is no official plan or by-law regulating pit and quarry location, council must be notified and if they object within 45 days, the Minister shall not issue the licence.</p> <p>7 A licence must be reviewed at least annually and may be revoked.</p> <p>11 Every licensee must submit a deposit as required by the regulations and may forfeit that deposit if rehabilitation is not adequately carried out.</p> <p>12 Wayside pits require a permit.</p> <p>15 The Minister may enforce compliance with the Act by applying for a restraining order.</p> <p>17 This Act prevails over a municipal by-law.</p>
- restraining order		
- Provincial policy		
- zoning	P.A. 34(2)	<p>The Provincial Policy on Mineral Aggregate Resources, pursuant to section 3 of the Planning Act, was due for publication at about the same time as this Planner's Reference.</p> <p>Pits and quarries are deemed to be a use of land for the purpose of zoning. The courts had previously determined that this activity was not a "use of land" within the meaning of the former Planning Act. One result is that existing pits can now be rendered non-conforming by appropriate zoning, whereas previously an existing pit was immune from this.</p>
- restrictive zone		<p>As a Cabinet policy, the provincial government has established a pits and quarries restrictive zone in the Niagara Escarpment area. In addition to a development permit, an application must be made to lift the pits and quarries restrictive zone.</p>
MINING	<p>Mining Act 1 (Natural Resources)</p> <p>Landlord and Tenant Act 19(1)(e) (Attorney General)</p> <p>Conveyancing and Law of Property Act, 16, 17 (Attorney General)</p> <p>see also PUBLIC LANDS - mineral rights</p>	<p>This Act includes definitions of terms such as "mining rights", "surface rights", "mine", "refinery", "mining lands", and "minerals".</p> <p>A definition of "mining lease" is included.</p> <p>Note that Section 49(2) of the Planning Act clarifies that no consent is required to separate mining rights from surface rights.</p> <p>"Mining rights" and "surface rights" are defined.</p>
Minister's order	P.A. 46, 47, 48	
MINOR VARIANCE	P.A. 44	<p>"Minor Variances and Non-Conforming Uses - Committee of Adjustment Guidelines" (September, 1980) by the Ministry of Municipal Affairs and Housing is available from the Ontario Government Bookstore. Also, see "Rules of Procedure - Minor Variance Applications", O. Reg. 155/78</p>
- registration on title		<p>Registrars were advised in December, 1980 that minor variances do not affect title to land and, therefore, are not registrable under either the land titles or registry system.</p>

Subject

Reference

Description and Notes

MOBILE HOME	P.A. 31(1)(e), 34(3), 40(1), 45, 47, 48	Individual mobile homes may be located on lots subject to the same restrictions as other dwellings, provided that not more than one mobile home is located on a lot. Mobile home parks, or any grouping of mobile homes on a single parcel of land, may only be developed or expanded on land specifically zoned to permit such use of land. Some of the existing legislation affecting mobile homes still refers to them as trailers. The term trailer should no longer be used to describe factory built dwellings designed for permanent occupancy. Section 45 of the Planning Act does not apply to recreational vehicles, but only to mobile homes (including double wides) constructed for permanent residential accommodation. It should be noted that Section 31 of the Planning Act re maintenance and occupancy standards includes a mobile home in the definition of "property".
	Highway Traffic Act 1(1)15b	"Mobile home" means a vehicle, other than a motor vehicle, that is designed and used as a residence or working accommodation unit and exceeds 2.60 metres in width or 11.0 metres in length.
	Residential Tenancies Act, 1979 (Consumer & Commercial Relations)	1(i)(g) "mobile home" means any dwelling that is designed to be made mobile, and constructed or manufactured to provide a permanent residence for one or more persons, but does not include a travel trailer or tent trailer or trailer otherwise designed.
		1(i)(h) "mobile home park" means the rental units, and the land, structures, services and facilities of which the landlord retains possession and that are intended for the common use and enjoyment of the tenants of the landlord, where two or more occupied mobile homes are located for a period of sixty days or more.
	Landlord and Tenant Act (Consumer and Commercial Relations)	81 The definition of a mobile home park is the same as above, except that "residential premises" is substituted for "rental units". Part IV of the Act deals with mobile homes and, among other matters, lists the responsibilities of a landlord in a mobile home park for garbage disposal, road maintenance, etc.
	Ontario Building Code 2.1.1.5(2)	The Code refers to special structural requirements for mobile homes, which apply to manufactured buildings intended for residential occupancy, constructed in sections not wider than 4.3 meters.
	see also TRAILERS; TRAILER AND TOURIST CAMPS AND MOTELS; P.A. 31(1)(e); UNORGANIZED TERRITORY	"Planning for Mobile Homes" is a booklet published by the Ministry of Municipal Affairs and Housing in September, 1981 to assist in the preparation of official plan policies on mobile homes. It is available for \$2.00 at the Ontario Government Bookstore.
MODULAR HOME	Retail Sales Tax Act 1.7 (Revenue)	"Modular home" means a house that is intended for residential purposes and that is constructed by assembling manufactured modular units each of which comprises at least one room or living area, has been manufactured to comply with the A277 series of standards prescribed by the Canadian Standards Association, and bears the seal of that Association attesting to such compliance.
MONEY BY-LAWS	Ontario Building Code 2.1.1.5(1)	Sections 142-157 deal with debentures, municipal debt, contracts for the supply of public utilities, etc.
Mortgages	Municipal Act Part X	
Motel	see HOUSING - and HOUSING - Rural housing mortgages	
MOTORIZED SNOW VEHICLE	see TRAILER AND TOURIST CAMPS AND MOTELS	
MOTOR VEHICLE	Motorized Snow Vehicles Act	Council may prohibit the driving of motorized snow vehicles along or across any highway. (A snow vehicle is excluded from the definition of a motor vehicle).
	Highway Traffic Act 1(1)23	"Motor vehicle" includes an automobile, motorcycle, and any other vehicle propelled or driven otherwise than by muscular power; but does not include the cars of electric or steam railways, or other motor vehicles running only upon rails, or a motorized snow vehicle, traction engine, farm tractor, self propelled implement of husbandry or road-building machine within the meaning of this Act.
	see also VEHICLE	

Subject

Reference

Description and Notes

MOTOR VEHICLE ACCESS TO PROPERTY	Road Access Act, 1978 (Municipal Affairs and Housing)	1(a) "Access Road" means a road on land not owned by a municipality and not dedicated and accepted as, or otherwise deemed at law to be, a public highway, that serves as a motor vehicle access route to one or more parcels of land.
- closing order	see also Highway - access to property	1(b) "Common Road" means an access road on which public money has been expended for its repair or maintenance. This Act provides for a legal process before an existing access to property over a neighbour's land may be closed. Provision is made for a closing order to be issued by a judge after appropriate notification. Provision is also made for an appeal from the order.
MOTOR VEHICLE RACING	Municipal Act 210(59)	Council may prohibit or regulate the racing of motor vehicles or motorcycles in any area of the municipality.
Multiple family dwelling	See HOUSING -	
MUNICIPAL BOARD	Ontario Municipal Board Act (Attorney General)	33-34 The O.M.B. has the power of a court of record. It has authority to determine questions of law or fact. 53 The Board is charged with the approval of money or debenture by-laws, and approves any by-laws as required by law or which a municipality voluntarily applies for. It may enquire into the financial affairs of municipalities, supervise expenditures, hear and determine disputes between municipalities and settle sewer and water rates between them. 44 The Lieutenant-Governor-in-Council may refer to the Board any matter relating to a municipality, railway or public utility subject to the Board's jurisdiction. 42 The Board may re-hear any application before deciding it or may review, rescind or change any decision, approval or order made by it. 94 The Lieutenant-Governor-in-Council may confirm, vary or rescind an O.M.B. decision and may order a rehearing. 95 Leave may be sought from a Court of Appeal to appeal an O.M.B. decision on a question of law or jurisdiction. The court certifies its opinion to the Board and the Board must issue an order accordingly.
- appeal	see also HEARINGS	
MUNICIPAL CODE	Municipal Act 105 see also INDEX OF MUNICIPAL BY-LAWS	Instead of passing separate by-laws, Council may pass a comprehensive general by-law to be known as a Municipal Code. If it consolidates earlier by-laws, those provisions are deemed to have come into force on the day the original by-law came into force.
MUNICIPAL GRANTS	Ontario Unconditional Grants Act (Municipal Affairs and Housing) see also FINANCIAL ASSISTANCE TO MUNICIPALITIES	This Act describes the formulas used to assign provincial grants to the municipalities. It covers grants for municipal police service, general support grants, resource equalization grants, and special grants for Northern Ontario. Schedules describing these formulas and designating certain grants may also be included.
Municipal Housing Statement	see HOUSING -	
MUNICIPAL LOANS	Municipal Works Assistance Act (Municipal Affairs and Housing)	This Act empowers the Minister to make and forgive loans to municipalities and to make arrangements to borrow money from the Municipal Development and Loan Board, as contemplated in the Municipal Development and Loan Act (Canada). Eligible municipal projects include school board capital works.
MUNICIPAL PLAN	Registry Act 85 (Consumer & Commercial Relations) O/Reg. 898 (45-50) see also JUDGE'S PLAN; REGISTRAR'S COMPILED PLAN;	Where land in a municipality has been sold under surveys or subdivisions made in such a manner that it so differs from the way in which it was surveyed or granted by the Crown that the parcels cannot be identified, and the land is not registered, the council may cause a plan of that land to be made, register it and have the expenses incurred paid for by a special area assessment rate.
MUNICIPALITY	Municipal Act Municipal Affairs Act see also COUNTY	1.18 "municipality" means a locality the inhabitants of which are incorporated. 1.11 "local municipality" means a city, town, village or township. 1(f) "municipality" means the corporation of a county, city, town, village, township or improvement district and includes a local board thereof and a board, commission or other local authority exercising any power with respect to municipal affairs or purposes, including school purposes, in an unorganized township or unsurveyed territory.

Subject	Reference	Description and Notes
Names	see GEOGRAPHIC NAMES; STREET NAMES	
NATURE RESERVE, NATURAL ENVIRONMENT	see PROVINCIAL PARK - classification	
NAVIGABLE WATERS	Beds of Navigable Waters Act 1 (Natural Resources)	The bed of any navigable water is Crown land. Beaches are not necessarily crown land, depending on the patents. The province controls the bed, the federal government controls the surface. If a creek is a navigable waterway and its bed is owned by the Crown, lands on each side of the creek would not be abutting land for the purposes of the Planning Act.
	Navigable Waters Protection Act (Transport Canada)	5 No work may be built in, upon, over, under, through or across any navigable water unless the plans have been approved by the Minister. This does not apply to works that in the Minister's opinion do not interfere substantially with navigation. "Work" may include a bridge, tunnel, dock, power cable, the dumping of fill, etc.
		19,20 No rubbish likely to interfere with navigation may be thrown into navigable waters. No stones, gravel, rubbish, etc. may be thrown into navigable tidal water unless there is a depth of at least 20 fathoms at all times.
Neighbourhood improvement	see COMMUNITY IMPROVEMENT - ONIP	
NEW COMMUNITIES	National Housing Act Part VI. 1	45.1 C.M.H.C. may participate with a provincial agency in the planning and development of new communities. The province must indicate its plans for urban growth. The agreement must stipulate the measures to be taken to ensure that the public will receive any economic benefits that may be obtained from the lands and services.
		45.2 Loans may be made to the provincial agency for the development of the new community, and up to 50% of the loan may be forgiven.
	see also NORTH PICKERING; ONTARIO LAND CORPORATION	
NIAGARA ESCARPMENT	Niagara Escarpment Planning and Development Act, 1973 (Provincial Secretary for Resources Development)	1(c) The Minister responsible for this Act is the Provincial Secretary for Resources Development. However, the Minister of Municipal Affairs and Housing is responsible for the regulations relating to development control (22 and 23).
		2 The purpose of this Act is to preserve the escarpment substantially as a continuous natural environment.
		3 The Minister may define the Niagara Escarpment Planning Area and may direct that a plan be prepared suitable for approval as the Niagara Escarpment Plan.
		4 The Minister is required to establish at least two advisory committees representing the municipalities and the people of the planning area.
		5 Cabinet appoints the Niagara Escarpment Commission composed of seventeen members. The Commission has the status of a corporate body.
		8 The objectives to be sought in the preparation of the Plan are described;
		9,10 Also, the contents of the Plan and the process of its preparation. The Plan is to be submitted to Cabinet for approval.
		12 Amendments may be initiated by the Minister or the Commission and are submitted to Cabinet for approval.
		13 No Ministry may undertake any works in conflict with the Plan and all by-laws must conform to the Plan.
		14 The provisions of the Plan prevail over any local plan or zoning by-law.
		15 The Minister may receive proposals from local municipalities to resolve conflicts between the Plan and local plans or by-laws and he may order an Amendment to a local plan.
		16 The Minister may direct a local municipalities to prepare and adopt a plan or zoning by-law conforming to the Niagara Escarpment Plan.
		17 The Plan must be reviewed not later than five years after coming into effect, and subsequently at five-year intervals.
		18 The Minister may expropriate land to develop the Plan.

Subject

Reference

Description and Notes

		19,20	The Minister may make grants to assist in implementing the Plan.
		21	The functions of the Commission may be transferred to a region or county council, when the Plan has been substantially completed.
- development control		22,23	The Minister may designate any area as being under development control and the Minister of Municipal Affairs and Housing may regulate the issuance of development permits.
		24	No development may occur and no building permit may be issued without prior receipt of a development permit. (Maximum fine: \$10,000) Development in contravention of the Act may be demolished.
		25	The issuance of development permits may be delegated to the Commission or some other body. The permit relates to the development itself and is not a personal permit.
- fixed assessment		27	Agreements may be made for fixed assessments on lands where-upon assessments would otherwise be increased due to a Plan designation. The Minister may reimburse the municipality where agreements for fixed assessments have been concluded.
NOISE	Municipal Act 210(132)		Council may prohibit the making of noise likely to disturb the inhabitants in any defined area. (These by-laws are difficult and expensive to enforce because of the need for corroborative evidence and because quantitative standards may not be included in the by-law. A by-law pursuant to the Environmental Protection Act is usually preferable).
	Environmental Protection Act	1(c)	A contaminant is defined to include noise.
		13	The province may prosecute noise polluters under the general provisions of this section which prohibits the emission of contaminants which "...causes or is likely to cause harm or material discomfort to any person; adversely affects or is likely to adversely affect the health of any person,..."
- control order		113-119	The Directors of branches within the Ministry may issue "control" or "stop orders" (where authorized by this Act) in order to control or stop the amount of contaminant being discharged into the environment by the person indicated on the order.
- model by-law		135	The council of a local municipality may pass by-laws regulating the emission of sound, prescribing maximum permissible sound levels, providing for the licensing of persons and premises with respect to noise emissions and prescribing procedures for determining noise levels. These by-laws are subject to the Minister's approval. A Model Municipal Noise Control By-law has been prepared by the Ministry of the Environment (August, 1978). The booklet containing the model by-law also includes some related publications: "Guidelines for Noise Control in Land Use Planning", "Guidelines for Noise Control in Rural Areas" and "Guidelines on Information Required for the Assessment of Planned Stationary Sources of Sound".
- vehicular noise	Highway Traffic Act 57		Excess vehicular noise, fumes or smoke are prohibited.
	see also AIRCRAFT NOISE		Provincial policy is outlined in "Guidelines on Noise and New Residential Development Adjacent to Freeways" (April 1979) published by the Ministry of Municipal Affairs and Housing. C.M.H.C. has published a document entitled "Road and Rail Noise, Effect on Housing"(1977).
Non Profit Housing	see HOUSING - Non-profit or community sponsored housing		
NORTH PICKERING	North Pickering Development Corporation Act, 1974 (Municipal Affairs and Housing)		This Act was dissolved by the North Pickering Development Corporation Repeal Act, 1982.
	see also ONTARIO LAND CORPORATION		The property rights and obligations of the dissolved Corporation are now vested in the Ontario Land Corporation.
Notice	see PUBLIC PARTICIPATION - notification and objections		

Subject	Reference	Description and Notes
Noxious manufactures	see INDUSTRIAL NUISANCES	
NUISANCE	Public Health Act	32 Where information is given in writing to a local board of health by a resident householder of the existence of a nuisance or unsanitary condition, the local board must forthwith investigate the complaint and take all necessary steps to abate it.
		38 If the local board doesn't act expeditiously, the Minister may step in and charge the municipality.
		115-129 Any condition that may become injurious to health may be deemed a nuisance. Among other matters, this may include refuse accumulation, water supply pollution, industrial location, dwelling overcrowding, air pollution, etc.
	Municipal Act 210(134)	A local council may pass by-laws for prohibiting and abating public nuisances.
	see also PUBLIC HEALTH, INDUSTRIAL NUISANCES	
NUMBERING OF BUILDING LOTS	Municipal Act 210 (106, 107)	A local council may pass by-laws for the numbering of building lots and buildings in the municipality and it is obliged to keep a public record of such numbering.
Nursery, Day	see HEALTH AND SOCIAL SERVICE INSTITUTIONS - Day Nursery	
Nursing home	see HEALTH AND SOCIAL SERVICE INSTITUTIONS - nursing home	

Subject

Reference

Description and Notes

OBSTRUCTION OF VIEW AT
INTERSECTIONS AND ALONG ROADS

Municipal Act 307

Council may enter into agreements for the removal of trees, shrubs, fences, signboards, etc., obstructing visibility at an intersection. If no agreement is obtained, an order may be sought from a county court judge.

Public Transportation &
Highway Improvement Act

30(7) Subject to appropriate compensation, the Minister may require the removal of any obstruction which might impair the safety or convenience of travellers on a King's Highway.

see also HIGHWAY -
King's Highway

108 A county or township may fix the distance from centreline within which no tree, building, sign or other obstruction may be allowed which might cause snow to accumulate or might obstruct vision. A road superintendent may negotiate an agreement to remove an existing obstruction and, failing agreement, may apply to a judge for an order to remove it.

Occupancy of
unfinished buildings

see UNFINISHED BUILDINGS

Occupancy permit

see CERTIFICATE OF
OCCUPANCY

Occupied water
privilege

see LAKES AND RIVERS -

Offensive Trades

see INDUSTRIAL NUISANCES

OFFICIAL COMMUNITY
PLAN

National Housing Act 2

"Official community plan" means a master plan of community development and land utilization prepared by a local planning authority and legally adopted by or on behalf of a municipality.

Official Plan

P.A. 1(h) 16-27

Guideline 10 in the series of guidelines published by the Ministry of Municipal Affairs and Housing is entitled "Official Plan Documents: Preparation, Adoption, Submission and Lodging". (August, 1984)

see also ANNEXATION AND
AMALGAMATION

Old Age Homes

see HEALTH AND SOCIAL
SERVICE INSTITUTIONS -
home for the aged

Old people

see ELDERLY PERSONS CENTRE

One-family dwelling

see HOUSING -

Ontario Building Code

see BUILDING CODE

ONTARIO CO-ORDINATE
SYSTEM

Surveys Act 0/Reg. 809
(Natural Resources)

The Surveys Act was amended in 1967 to provide for regulations for systems of co-ordinate surveys. One system, "The Ontario Co-ordinate System", was defined in Regulation 809.

Although surveying and mapping programs were undertaken using the three degree grid of that system, it was never implemented as a provincial program. The Universal Transverse Mercator grid System has been adopted as the official standard geographical referencing grid for the Province. It is called the "Ontario Geographical Reference Grid". Further details are available from the Surveys and Mapping Branch, Ministry of Natural Resources (John Kerr, Manager, Geographical Referencing Services; telephone 416/965-4538).

ONTARIO LAND
CORPORATION

Ontario Land Corporation
Act
(Municipal Affairs and
Housing)

Ontario Land Corporation is a provincial agency responsible for managing, planning, developing and marketing lands owned by the province throughout Ontario. Its development projects include, among others, Malvern, Townsend, Heritage Green and Seaton. The corporation also administers an extensive mortgage portfolio through its wholly owned subsidiary Ontario Mortgage Corporation.

ONTARIO GAZETTE

Official Notices Publication
Act
(Attorney General)

Published weekly, the gazette is the official source for notification of legislation and regulations.

Ontario Municipal
Board

see MUNICIPAL BOARD

Ontario Planning and
Development

see PROVINCIAL PLANNING

Open space

see PARKS; PARKWAY BELT;
SITE PLANNING

OUTDOOR FESTIVAL

Public Health Act 10

"Outdoor festival" means a festival for the assembly of more than 2,000 people out of doors for at least 24 hours for musical or theatrical entertainment. The Minister may, with Cabinet approval, make regulations for health and safety standards, for bonding of the promoters, etc. Provision is made for fines up to \$10,000.

Outhouses

see GARAGE; PUBLIC
HEALTH

Overcrowding

see PUBLIC HEALTH

Subject	Reference	Description and Notes
PARCEL	Boundaries Act 1(c) (Consumer & Commercial Relations)	"Parcel" means an area of land described in an instrument by which the title to an interest in land is or was established or an area of land shown on a plan and includes a public highway or any part thereof.
PARKS - area rate	Municipal Act 208(51-53) Public Parks Act (Municipal Affairs and Housing) Parks Assistance Act (Natural Resources)	Council may acquire land for park purposes. The cost may be area rated. 3 Parks established under this Act must be managed by "The Board of Park Management", which may acquire land, etc. 2 The parks established under this Act must be maintained and operated for the use and enjoyment of the public in such a manner as will be complementary to the use and enjoyment of provincial parks. 3 This Act authorizes grants to assist municipalities in the acquisition and development of an approved park or the conversion of a park to an approved park. 5 Municipalities must file for assistance to the Ontario Parks Integration Board. 10 Municipalities may pass by-laws (with regard to these parks) regulating such things as: the care, preservation, improvement and management of the park, the amount of traffic in the park, admission prices, etc.
	see also P.A. 41, 50(5)(7)(10) (11)(12), 52(3); PROVINCIAL PARK; RECREATION; SCHOOLS - recreation; HISTORICAL PARK	
PARKING - cash in lieu	P.A. 39	
Parking areas	see Site Plan Control; SITE PLANNING; HIGHWAY - leasing use of untravalled portions; PERMIT PARKING; P.A. 39	
PARKING LOTS - area rate	Municipal Act 208 Municipal Act 217(34)	(55) Council may establish a public parking lot and may, with O.M.B. approval, levy the cost on a defined area. (56) A parking authority may be established for the operation of parking facilities within the municipality. The Minister of Municipal Affairs and Housing may make loans or grants to a municipality for the establishment of a public parking lot.
PARKWAY BELT - fixed assessment - zoning orders	Parkway Belt Planning & Development Act (Municipal Affairs and Housing)	1 The Minister may define a Parkway Belt Planning Area and direct that a Parkway Belt Plan be prepared. (To date, the Parkway Belt West Plan has been prepared and approved by Cabinet). 2 The Parkway Belt Plan is a development plan within the meaning of the Ontario Planning and Development Act. 3 An agreement may be made for fixed assessment if an existing land use differs from the Parkway Belt Plan or local plan designation and the assessment would otherwise be increased as a result of the designation. The Minister may reimburse the municipality for the reduced assessment.
Part lot control	P.A. 49(5) and (6)	4 The Minister may make land use regulations within the Parkway Belt Planning Area (Zoning orders). Such regulations need not conform to a local official plan.
Partial Sales and Partial Foreclosures	P.A. 49(16),(17)	
PARTITION	Partition Act (Attorney General)	This Act is intended to provide for the equitable division of assets in land among two or more co-owners, creditors, partners, mortgagees, etc. Section 49(20) of the Planning Act clearly makes orders under the Partition Act subject to consent.

P

Subject

Reference

Description and Notes

PEDESTRIAN MALL	Municipal Act 210(123)	Council may establish a pedestrian mall, with the approval of the Minister of Transportation and Communications. Any class of vehicle may be excluded at any specified time.
	Municipal Act 298(10)	In closing a road, council may specify that it is closed for vehicular traffic only, and may erect barricades.
Pedestrian overpass Pedestrian underpass	see HIGHWAY - use of space over or under a highway	
Penalties	see ENFORCEMENT OF BY-LAWS	
PERMIT PARKING	Municipal Act 210(118)	Council may pass by-laws allowing parking on designated parts of highways for specified periods and during specified hours, subject to permits.
PIPELINE	Ontario Energy Board Act 46-55 (Energy)	No transmission line for natural gas may be constructed without an order from the Energy Board. Provision is made for notice, objection procedures, hearing and expropriation. The Ontario Energy Board has produced a booklet entitled "Environmental Guidelines for the Construction and Operation of Hydrocarbon Pipelines in Ontario, 1984." It is obtainable from the Ontario Government Bookstore, price \$3.00.
Pits and quarries	See MINERAL AGGREGATES	
Place names	see GEOGRAPHIC NAMES	
PLACE OF AMUSEMENT	Retail Sales Tax Act 1.9 (Revenue)	"Place of amusement" means an amusement park or a premises or place whether enclosed or not, where a cinematographic moving picture machine or similar apparatus is operated, or where a theatrical performance or entertainment, carnival, circus side show, menagerie, concert, rodeo, exhibition, horse race, athletic contest or other performance is staged or held or where facilities for dancing are provided to the public with the service of liquor, beer or wine and for which admission is granted upon payment of a price of admission through the sale of tickets or admission through the sale of tickets or otherwise.
Planned Communities	see NEW COMMUNITIES	
PLANNING ADVISORY COMMITTEE	P.A. 8	Guideline 1 under the 1983 Planning Act discusses the role of planning advisory committees.
Planning area	P.A. 9	
Planning board	P.A. 9-14	
Plan of subdivision	see SUBDIVISION PLAN	
Playgrounds	see PARKS; RECREATION	
PLUMBING	Ontario Water Resources Act (Environment)	Note that the plumbing sections of the Act are administered by the Building Code Branch of the Ministry of Municipal Affairs and Housing.
	44(2)(c)	The Minister may regulate plumbing.
	45	Plumbing inspections may be undertaken by local municipalities, countries or boards of health.
	48	No municipal by-law regulating plumbing has any effect unless it is permitted under Section 46(1).
	O/Reg 815/84	A new Plumbing Code was introduced in January, 1985.
Polaris Project	see LAND REGISTRATION	
Police costs	see Area Rate - police	
POLICE POWER	Municipal Act 104	Council may pass by-laws and regulations for the health, safety, morality and welfare of the inhabitants in matters not specifically called for by the Act.
POLICE VILLAGE	Municipal Act 331-356	Various provisions describing the powers of the trustees of a police village. They may be concerned with sidewalks, culverts, road, public utilities, fire protection, parks and certain other matters described in Section 347.
POLICY STATEMENTS	P.A. 3	The first two provincial statements under the Planning Act will deal with mineral aggregates and foodlands. They will be followed by statements on floodplains, environmental land use compatibility and the Parkway Belt West.

Subject

Reference

Description and Notes

Pollution	see PUBLIC HEALTH, WATER QUALITY, AIR POLLUTION, AGRICULTURAL POLLUTION, LAKES AND RIVERS, SIGN CONTROL, WASTE MANAGEMENT SPILL, NOISE; CONTROL ORDER	
Ponds	see CONSERVATION (NATURAL ENVIRONMENT)	
Preservation of historic buildings	see CONSERVATION (CULTURAL)	
Preservation of wilderness	see WILDERNESS	
Private Hospital	see HEALTH AND SOCIAL SERVICE INSTITUTIONS	
PRIVATE ROAD	see also MOTOR VEHICLE ACCESS TO PROPERTY	"Private Roads - Planning Guidelines for municipalities" is a pamphlet published by the Ministry of Municipal Affairs and Housing in March, 1982.
- snowplowing		With the repeal of Section 429 of the Municipal Act (R.S.O. 1970), municipalities are now no longer exempt from liability when plowing a private road or unopened road allowance.
Private school	see SCHOOLS - private	
PROPANE FUELLING FACILITY	O/Reg 522/85 (Consumer and Commercial Relations)	The Regulation is the Propane Storage, Handling and Utilization Code. The Ontario Ministry of Energy is preparing "A Guide to Siting Propane Fuelling Facilities in Ontario".
Property exempt from taxation	see ASSESSMENT -	
Property standards committee	P.A. 31(11) see also Maintenance and Occupancy Standards	
Prospectus	see FOREIGN LAND SALES	
Provincial interest	P.A. 2, 17(19)(20), 22(5) 34(28) and 46(15)-(17)	
Provincial Land Tax	see UNORGANIZED TERRITORY - assessment	
PROVINCIAL PARK - classification	Provincial Parks Act (Natural Resources)	5 Cabinet may classify provincial parks as natural environmental, nature reserve, primitive, recreational, wild river or some other class of park. (The Planning and Management Policies manual published in 1978 describes six classes in current use: natural environment park, nature reserve, wilderness park, recreation park, waterway park and historical park).
- zoning		7(2) The Minister may designate zones such as: historic zone, multiple use zone, natural zone, primitive zone, recreational zone, etc. (The currently used zones are: historical, natural environment, wilderness, nature reserve, access and development).
- access road		9 The Minister may enter into agreement with a municipality and subsidize the construction and maintenance of a road leading to a provincial park. Approval is required from the Cabinet. Similar arrangements may be made in unorganized territory.
- licence of occupation		20 A licence of occupation may be issued under the regulations to permit mining in a provincial park.
- use of land		21 Cabinet may make regulations controlling the use or occupation of land, erection of buildings, structures and signs, etc.
PROVINCIAL PLANNING	Ontario Planning and Development Act (Municipal Affairs and Housing) see also PARKWAY BELT, NIAGARA ESCARPMENT	This Act provides for the preparation of a development plan for a provincially defined planning area.
Public Garage	see GARAGE	

Subject

Reference

Description and Notes

PUBLIC HALL	Public Halls Act 1	"Public Hall" means a building, including a portable building or tent with a seating capacity for over 100 persons that is offered for use or used as a place of public assembly, but does not include a theatre within the meaning of the Theatres Act or a building, except a tent, used solely for religious purposes.
PUBLIC HEALTH	Public Health Act	<p>7 The duties and responsibilities of the Ministry include to determine whether the existing condition of any premises or the method of manufacture or business process, or the disposal of sewage or other waste or garbage is a nuisance or injurious to health -- and to enter upon any premises and make such orders and give such directions with regard to the structural alterations of the premises or with respect to any other matter as the Ministry deems advisable in the interests of public health.</p> <p>9 The Minister may, with Cabinet approval, make regulations for:</p> <ul style="list-style-type: none"> - the removal of nuisances and unsanitary conditions, - directing the alteration or destruction of any building unfit for human habitation, - preventing overcrowding by limiting the number of dwellers on premises, - the sanitary precautions to be taken in health resorts, summer resorts and on boats plying upon inland waters, and for preventing pollution of such waters, - defining, regulating and licensing summer camps, summer resorts and agricultural camps but not including premises commonly known as tourist camps, boarding houses or lodging houses, - prescribing standards for the location, construction, alteration, repair and equipment of premises to be used as dwellings, - defining public swimming pools and regulating or prohibiting their construction, alteration, repair, location, maintenance and use, (see also Section 126 for by-laws regulating public swimming pools), - governing, regulating and restricting the storage, collection and disposal of garbage and refuse in private premises and households. <p>12 The above regulations prevail over any local by-law.</p> <p>17 Every municipality in Ontario must have a local board of health unless it is in a "health unit".</p> <p>40 One or more counties, or a group of municipalities may establish a health unit. Provincial assistance may be provided.</p> <p>117 A medical officer of health or an inspector may enter any premises at all reasonable times and may order that the premises be closed if necessary for health reasons. Provision is made for appeal.</p> <p>134 A medical officer of health or an inspector may enter into a lodging house where he has reason to suspect overcrowding which is deemed unhealthy.</p> <p>138 Where the Ministry reports in writing that water or sewerage works are necessary in the interest of public health, the municipality must forthwith pass all necessary by-laws and undertake the required works without unnecessary delay.</p> <p>145 The council of a city or town may by by-law establish a public slaughterhouse or abattoir.</p> <p>159-166 The Minister may make regulations respecting industry to prevent nuisances and may provide for the inspection of houses and premises in unorganized territory.</p> <p>Schedule B This is a by-law in force in every municipality until altered by council. It deals with location of slaughterhouses, removal of garbage, provision of toilets in restaurants, keeping of swine, etc. The clause providing for fines was deleted in 1974.</p>
- nuisances		
- overcrowding		
- resorts		
- boats		
- water pollution		
- camps		
- building standards		
- swimming pools (public)		
- garbage and refuse (private)		
- local board of health		
- health unit		
- entry on private property		
- lodging houses		
- waterworks, sewerage		
- public slaughterhouses		
- unorganized territory		

Subject

Reference

Description and Notes

Public Hospital	see HEALTH AND SOCIAL SERVICE INSTITUTIONS -	
Public housing	see HOUSING -	
PUBLIC LANDS	Public Lands Act (Natural Resources)	3 Where at least 25% of the frontage on a water body is public, at least 25% of that frontage will be retained for access and recreation. Where less than 25% remains, it will all be retained.
- public reserves		4 Cabinet may make such regulations as are considered necessary to carry out the provisions of the Act, or to meet cases for which no provision is made by the Act.
- zones		12 The Minister may establish zones such as "Open", "Deferred", "Closed", etc. and may regulate and administer the use of public lands accordingly. The Minister may designate areas wherein no resort development may occur except by registered plan of subdivision.
- restricted area		13 In areas without municipal organization the Minister may designate a "restricted area", which gives him control over building permits and land improvements "on such terms and conditions as he considers proper".
- sale or lease		14-18 and 23 Cabinet may make regulations prohibiting or controlling the sale or lease of public lands for other than agricultural purposes. The letters patent may include conditions re the use of the land. Violation of the conditions may result in forfeiture of the land. Upon cancellation of a sale or lease all buildings become Crown property. (See also O. Reg. 246/71 re sale and lease).
- land use conditions		19 A licence issued by the Minister to permit mining exploration on public lands. Subject to the conditions attached to it, the licence carries similar rights as letters patent.
- licence of occupation		25 Any person who deposits any material on public land or water is liable to a fine of \$500.
- dumping of fill		36 Means a grant of a freehold or leasehold interest in unpatented public lands.
- Crown grants		43 Appointed by the Minister, this committee recommends suitable areas for sale or other disposition as agricultural land and measures for their development.
- public agricultural lands committee		45-52 This deals with private and public forest roads. Definition etc.)
- forest roads		54-55 Trees on land disposed of for agricultural purposes remain Crown property until the letters patent are issued.
- trees		57-59 In letters patent issued after 1957 the mineral rights are reserved to the Crown.
- mineral rights		65 Where lands have been granted subject to the condition that a cottage be constructed within 18 months, such condition is void.
- cottage lot condition		67 Where public lands have been disposed of and the owner subdivides the land within five years of the issue of letters patent, one quarter in area of the lots is vested in the Crown.
- subdivision		68-71 The Minister may construct dams and other water control works, expropriate land, etc.
- dams		246/71 "Cottage" means a building in which facilities are provided for cooking and for shelter for one or more persons living therein as a single and non-profit housekeeping unit. There is no restriction by definition or regulation to differentiate between permanent and seasonal occupancy of a summer resort location. The standard form of lease requires compliance with zoning by-laws and limits the use to a single non-profit housekeeping unit of one cottage and accessory buildings.
- summer resort locations	Ontario Regulation	

P

Subject

Reference

Description and Notes

PUBLIC PARTICIPATION in plan-making	P.A. 16(b), 17(2),(3), (4) and (7), 28(4)	
- notifications and objections	P.A. 34(12)(16)(17), 45(5) and 47(5)	Guideline 6 in the series of guidelines published by the Ministry of Municipal Affairs and Housing is entitled "Official Plan Policies on Public Notice" (August, 1983).
- appeals, public hearings	see DRAINAGE, ENVIRONMENTAL ASSESSMENT; HEARINGS; MUNICIPAL BOARD - appeals; P.A. 31(16) and (18), 33(12), 34(11)-(18), 35(3), 37(4), 40(12), 44(12)-(19), 46(10)-(14), 52(7)-(9); Ontario Planning and Development Act 6(4), 44(6); Municipal Act 14(4) and 301	
Public reserves	see PUBLIC LANDS -	
PUBLIC ROAD ALLOWANCES	Surveys Act 57(1)	Every road allowance shown on a registered plan of subdivision is deemed a public road allowance. A booklet entitled, "Public Road Allowances: A Procedural Guideline" was published by the Ministry of Municipal Affairs and Housing in May, 1981. Price \$2.00 at the Ontario Government Bookstore.
Public schools	see SCHOOLS -	
PUBLIC TRANSPORTATION - area rate	Municipal Act	210 (97) Council may operate a public bus transportation system and and (98) may levy a special rate in a defined area to cover any operating deficit. 315(9) Council may designate any land on any road over which the municipality has jurisdiction as a lane solely or principally for use by public transit motor vehicles. 94,95 Various provisions relating to provincial and municipal subsidies. "Public transportation" means any service for which a fare is charged for transporting the public by vehicles operated by or on behalf of a municipality or a local board thereof, or under an agreement between a municipality and a person, firm or corporation and includes special transportation facilities for the physically disabled, but does not include transportation by special purpose facilities such as school buses or ambulances.
	Public Transportation & Highway Improvement Act	
	Highway Traffic Act 162	Council may prohibit commercial motor vehicles other than buses in the left lane of a highway having 3 or more lanes in each direction and a maximum speed of 80 kilometres per hour or more.
- urban transit service area	Regional Municipality of Hamilton-Wentworth Act 53h	The Regional Council shall apply to the Minister of Transportation and Communications to have an area within the Region defined as an Urban Transit Service Area. The Region may thereby obtain licensing powers for public transportation within the Area. The Region's eligibility for provincial transportation subsidy may also be improved within the Area.
- reserved lanes	Municipality of Metropolitan Toronto Act 79a	The Metropolitan council or an area council may set aside reserved lanes for public transit.
	see also RAPID TRANSIT; COMMUTER SERVICES; PUBLIC VEHICLE	

Subject	Reference	Description and Notes
PUBLIC UTILITIES	Municipal Affairs Act 1(g)	"Public utility" means a waterworks, gasworks, including works for the transmission, distribution, and supply of natural gas, electrical power or energy works, or system for the generation, transmission or distribution of electric light, heat or power, a telephone system, a street or other railway system, a bus or other public transportation system or any other works or system for supplying the inhabitants generally with necessities or conveniences that are vested in or owned, controlled or operated by a municipality or municipalities or by a local board.
	Ontario Municipal Board Act 1(d) (Attorney General)	"Public utility" means a waterworks, gasworks, including works for the production, transmission, distribution and supply of natural gas, electric heat, light and power works, and telegraph lines, or any works supplying the general public with necessities or conveniences.
- water supply	Public Utilities Act (Municipal Affairs and Housing)	2,4 A municipality may operate waterworks, build reservoirs, divert water bodies to protect the water supply, etc., and may assess the cost of water supply on rateable property in a defined area.
- area rate		6,7 Service pipes from the street line to a building are the property owner's financial responsibility, but under municipal control.
		11,25 A municipality may supply water and other utilities beyond its boundaries.
- area rate		14 A special rate may be levied for waterworks debentures on land not more than 100 metres from a water pipe.
- gas, electricity, etc. and sewerage		17 A municipality may also operate works for gas, electricity, steam or hot water, and sewerage.
		23 Passages common to neighbouring owners may be broken up to lay or repair pipes, provided they are restored.
		34 Profits from a municipal utility other than hydro must be turned over to general revenue.
		37-47 Control of public utilities may be entrusted to a Public Utilities Commission.
		54 Where there is sufficient supply, no building along a supply line may be denied the supply.
		55 O.M.B. approval may be required to lay main pipes closer than 2 m. to any existing main.
- transportation and telephones		63 The operation of a bus, railway, street car or telephone system may be entrusted to a Public Service Commission or to an existing Public Utilities Commission.
- area rate	Municipal Act 150(2); and 210(51)(f) see also AREA RATE	Council may levy a special annual rate in an area to defray the cost of a public utility provided in that area.
PUBLIC VEHICLE	Public Vehicles Act 1(k)	"Public vehicle" means a motor vehicle operated on a highway by, for or on behalf of any person for the transportation for compensation of passengers, or passengers and express freight that might be carried in a passenger vehicle, but does not include the cars of electric or steam railways running only upon rails, taxicabs, nor motor vehicles operated solely within the corporate limits of the urban municipality.
PUBLIC WORKS	Ministry of Government Services Act	This Act provides for provincial public works.
- entry on private property		12 The Minister or his agents may enter upon any land or use any stream, cut any trees, carry away any earth, divert any pipe or wire, etc., without the owner's consent, for any purpose relative to the use, construction, maintenance or repair of a public work.
	Public Lands Act 49 (Natural Resources)	The Minister of Natural Resources or of Government Services may enter into agreements with the owners of land respecting the erection of public works. These agreements may be registered on title.
	P.A. 1(j), 24	

Q

Subject

Reference

Description and Notes

	see MINERAL AGGREGATES	
QUASHING A BY-LAW	Municipal Act 139	A resident of a municipality or an interested person may apply to the Supreme Court to quash a by-law. The application must be made within three months of the publication of the by-law.
QUIET ZONE		The Model Municipal Noise Control By-Law prepared by the Ministry of the Environment contains provisions relating to different types of areas. These include "Residential Area", "Quiet Zone" and "Agricultural Area."
QUIETING ORDER	Municipal Corporations Quieting Orders Act (Municipal Affairs and Housing)	A quieting order is an order by the O.M.B. establishing, the legal existence or corporate status of a municipality, or establishing its proper area and boundaries in order to quiet doubts affecting them.
QUIETING TITLE - certificate of title	Quieting Titles Act (Attorney General)	This Act provides for the investigation of the validity of titles to property and the subsequent declaration by a Supreme Court judge establishing title. A certificate of title may be issued and registered.

Subject

Reference

Description and Notes

Railway fencing	see FENCES	
RAILWAY RELOCATION	Railway Relocation and Crossing Act Part I (Transport Canada and Canadian Transport Commission)	<p>Railway facilities in urban areas may be relocated to open the way for urban improvements. The Minister of Transport may pay up to 50% of the cost of preparing an urban development plan, and 50% of the cost of preparing a transportation plan. A financial plan is also required. The plans must have provincial approval before being sent to the CTC with an application for a relocation order or rerouting order.</p> <p>The CTC may issue a relocation or rerouting order to the rail-road company. MOT may make a grant of up to 50% of the net costs of relocation.</p>
RAILWAY GRADE SEPARATIONS	Railway Relocation and Crossing Act Parts II and III (Transport Canada and Canadian Transport Commission)	Special grants and funds are available for the construction of grade separations and railway crossings.
RAPID TRANSIT	Public Transportation & Highway Improvement Act	87 Various provisions relating to provincial subsidies, etc.
Receiving Plant for Dead Animals	see RENDERING PLANT	
Record of by-laws effecting land	see INDEX OF MUNICIPAL BY-LAWS	
RECORD OF STREETS, LOTS, ETC.	Municipal Act 210(107)	Every council must keep a record of its streets and lot numbers, showing street boundaries with dimensions.
RECREATION	Municipal Act 208(57)	Council may acquire, build, operate and manage parks, recreational areas, community centres, art galleries, arenas, auditoriums, stadia, museums and other places of recreation or amusement. Money may be borrowed and the cost may be levied on any defined area of the municipality.
Redevelopment	see also SCHOOLS -; ELDERLY PERSONS CENTRE; COMMUNITY CENTRE; PROVINCIAL PARK - Classification; TRESPASS AND OWNER'S LIABILITY	
	see HOUSING; P.A. 28-30	
REFERENCE PLANS	Land Titles Act 149 Registry Act 74 and O/Reg. 898(25) (Consumer & Commercial Relations)	A "reference plan" is a plan of survey prepared by an O.L.S. and deposited or recorded in the proper land registry office. A Reference Plan is not a registered plan of subdivision but provides a graphic description of land by designating units of land as "PARTS". These plans do not create new geographic units or designations but make it possible to replace a conventional metes and bounds description by referring to the Parts on the plan.
REFUSE ACCUMULATION	Municipal Act 210(74)	Council may pass a by-law requiring and regulating the filling up, draining, cleaning or clearing of any grounds, yards and vacant lots.
	see also PUBLIC HEALTH - garbage and refuse; maintenance and occupancy standards	
Refuse disposal	see WASTE MANAGEMENT	
REGIONAL ECONOMIC DEVELOPMENT	Industrial and Regional Development Act (Federal - Regional Industrial Expansion)	The Industrial and Regional Development Program (IDRP) is the government's principal means to deliver direct federal assistance to industry. Manufacturers and processors in all of Canada are eligible. Four tiers of assistance are offered on a progressively increasing basis with the greatest support available in the most economically disadvantaged areas in the country.
	see also PROVINCIAL PLANNING	
REGIONAL MUNICIPALITIES	Regional Municipality of.. Act, District Municipality of Muskoka Act, Municipality of Metropolitan Toronto Act, Planning Statute Law Amendment Act, 1983	Each Region has its own specific enabling provincial Act. Established regions include Durham, Halldimand-Norfolk, Halton, Hamilton-Wentworth, Niagara, Ottawa-Carleton, Peel, Sudbury, Waterloo and York. Also Muskoka and Toronto. The distribution of planning responsibility between the regional and local level differs between regions.
	see also RESTRUCTURED COUNTIES, DISTRICTS	

Subject

Reference

Description and Notes

Regional Planning	see REGIONAL MUNICIPALITIES, SEWERAGE - regional plan; WATERWORKS - regional plan; PROVINCIAL PLANNING	Refer also to the Ontario Planning and Development Act, which provides for "development plans" in areas defined by the Minister.
REGISTERED PLAN	Land Titles Act 141-145, 152 and 153 (Consumer & Commercial Relations)	Where land is being subdivided for the purpose of being sold or conveyed in lots, the subdivider must register a plan certified by an O.L.S. in the Land Titles or Registry Office. No such plan to which the Planning Act applies may be registered unless approved under the Act. No plan, though registered, is binding unless a sale has been made according to the plan.
- dissolving a registered plan	see JUDGE'S ORDER	
- deeming a registered plan	see P.A. 49(4)	
REGISTRAR'S COMPILED PLAN	Registry Act 77 (Consumer & Commercial Relations) Land Titles Act 147	The Registrar's Compiled Plan is a bookkeeping tool of the Land Registration System, to facilitate the breaking down of the Abstract Index, in those areas where searching has become costly and time consuming. These plans are prepared largely without benefit of survey, from Registry Office records. Each property in a given area is assigned a compiled plan lot number and the Registrar's Compiled Plan then becomes the visual graphic index for the new Abstract Indexes opened up under these lot numbers. An Index Plan is similar but is prepared under the Land Titles Act.
	see also MUNICIPAL PLAN; JUDGE'S PLAN; REFERENCE PLAN; LAND REGISTRATION	
Regulating	see LICENSING AND REGULATING	
REGULATIONS		Legislation may enunciate general principles which are subsequently interpreted more specifically in the form of Regulations. For instance, under the Planning Act, regulations have been introduced dealing with various notice requirements and with rules of procedure for consents and minor variances. Guideline 5 in the series of guidelines published by the Ministry of Municipal Affairs and Housing is entitled "Working with the New Regulations". (August, 1983)
Rehabilitation	see HOUSING -; P.A. 28-30	
RELIGIOUS INSTITUTIONS	Religious Organizations' Lands Act, 1979 (Attorney General)	"Religious organization" is defined to include all denominations. Provision is made for a religious organization to hold land for any religious purpose.
Relocation Costs	see EXPROPRIATION -	
RENDERING PLANT	Dead Animal Disposal Act (Agriculture and Food)	1(j) "Receiving Plant" means a premises to which dead animals are delivered for the purpose of obtaining the hide, skin fats, meat or other product of the dead animals or for the purpose of selling or delivering the dead animals or parts thereof to a rendering plant.
		1(k) "Rendering Plant" means a premises at which dead animals are processed into hides, meat, bone meat, meat meal or inedible fats.
		2 This Act does not apply to establishments operating under the Meat Inspection Act (Canada).
	see also SLAUGHTERHOUSES	
Renovation	see BUILDING CODE	
RENT REVIEW	Residential Tenancies Act, 1979 (Consumer and Commercial Relations)	The portions of the Act establishing the Residential Tenancy Commission and the rent review provisions are in effect. The remaining two-thirds of the Act have not been proclaimed and the Landlord and Tenant Act is still in effect. Non-residential tenancies are governed by the Landlord and Tenant Act.
Rent Supplement	see HOUSING -	
Rental Housing	see HOUSING -	
Reserved bus lanes	see PUBLIC TRANSPORTATION	
Reservoirs	see CONSERVATION; DRAINAGE; PUBLIC UTILITIES	

Subject	Reference	Description and Notes
Residential Complex	Residential Complex Sales Representation Act 1983 (Consumer and Commercial Relations)	"residential complex" means a building or related group of buildings situated in Ontario in which more than six dwelling units are located and a mobile home park as defined in Part IV of the Landlord and Tenant Act. This Act makes it an offence to sell an interest in a residential complex and imply to the purchasers that they will be entitled to replace the existing tenants as occupants of a dwelling unit or that they are acquiring ownership of a dwelling unit.
Residential rehabilitation	see HOUSING - rehabilitation and conversion; BUILDING CODE - renovation	
Resort subdivision road rate	see HIGHWAY - Township road	
Resource road	see HIGHWAY -	
Restoration of Buildings	see CONSERVATION (cultural); HOUSING - rehabilitation and conversion; OHRP	
Restraining order	see ENFORCEMENT OF BY-LAWS; SUBDIVISION PLAN AREA; MINERAL AGGREGATES -	
Restricted area	see PUBLIC LANDS -	In the 1983 Planning Act, the term "Restricted Area by-law" has been dropped in favour of "Zoning by-law".
RESTRICTIVE COVENANT	Conveyancing and Law of Property Act 61 (Attorney General)	A restrictive covenant may be modified or discharged by order of a judge.
RESTRUCTURED COUNTIES, DISTRICTS	County of Oxford Act (Municipal Affairs and Housing) District of Parry Sound Local Government Act, 1979 (Municipal Affairs and Housing)	The County of Oxford was restructured in 1974 and has a limited form of regional government. Some planning func- tions are at the county level (land division, official plan). Townships and towns have been consolidated into larger units but no regional government has been established.
Right of entry	see ENTRY ON PRIVATE PROPERTY	
Road access to property	see MOTOR VEHICLE ACCESS TO PROPERTY	
ROAD ALLOWANCE ABUTTING WATER	Municipal Act 298(3)	If a road allowance on an original survey abuts a lake or leads to water, it may not be closed or diverted without the approval of the Minister of Municipal Affairs and Housing.
ROAD CLOSING	Municipal Act 298(1), (11) Public Transportation and Highway Improvement Act 24(3) Surveys Act 57 (Natural Resources) Municipal Act 316, 317	Council may pass a by-law to close a road, either per- manently or for a specified period of time. The by-law must be approved by the Minister if the road is shown on a sub- division plan registered after March 27, 1946. A registered plan is only binding after the first mortgage or deed has been registered. Prior to that, the subdivider still owns the land and the municipality cannot close the road under this section. A municipality may not open, close or divert a road touching a King's Highway without the consent of the Minister. If a municipality has not assumed a road allowance on a plan of subdivision and proceeds to close it, the land belongs to the abutting owners. (The possibility of amending this clause and moving it to the Municipal Act and/or the Plan- ning Act was being discussed at the time of publication.) If compensation was paid for a road allowance and the road is subsequently closed and council wants to sell the land, it may set a price and the abutting owners have the first option to buy it. A municipality may wish to open a road allowance as an alternative to the allowance on the original survey. If no compensation is paid for the new allowance, the land owner is entitled to the original allowance or to a cash payment, if he owns no abutting land. If compensation is paid for the new allowance, the abutting owners may purchase the allowance on the original survey.

R

Subject

Reference

Description and Notes

- temporary closing	Municipal Act 208(44)	Council may close a road on a temporary basis for social, recreational, community and athletic purposes.
	Municipality of Metropolitan Toronto Act	Authority is granted to the Metropolitan Corporation on an annual basis to close part of Yonge Street to traffic from June to September.
	see also JUDGE'S ORDER; UNORGANIZED TERRITORY; HIGHWAY; PEDESTRIAN MALL	
Road-leasing of untravelling portion	see HIGHWAY - leasing, etc.	
Road, private - snowplowing	see PRIVATE ROAD - snowplowing	
Roads on public lands	see PUBLIC LANDS	
ROAD REPAIR	Public Transportation and Highway Improvement Act 104	The Minister may repair a local road and charge the municipality if the municipality has let the road fall into disrepair.
	Municipal Act 284,286	A municipality is responsible for the repair of every road and bridge under its jurisdiction. However, registration of a plan of subdivision does not mean that the roads are automatically assumed by the municipality.
ROAD WIDENING	Public Transportation and Highway Improvement Act 109	Agreements may be made by a municipality (other than a city or separated town) for the widening of a highway or county road.
	Municipal Act 298	Council may pass by-laws for widening, altering or diverting any highway or part of a highway.
	P.A. 40 (7)-(9)	Road widening may be obtained through site plan control.
	see also SET-BACKS; LOCAL IMPROVEMENTS; HIGHWAY;	
ROAD WIDENING (DEFERRED)	Municipal Act 196	Council may provide for the laying out or widening of a street, but defer the work for between 3 and 10 years. The required land is vested in the corporation but the owner may retain temporary possession. Except as otherwise ordered by the O.M.B. compensation is not payable till the day of entry. The Expropriation Act does not apply.
	see also SET-BACKS	
ROAD WIDTH	Municipal Act 306	No road of less than 20 metres may be laid out without the approval of the Minister of Municipal Affairs and Housing, or of a council with delegated authority.
Rock festival	see OUTDOOR FESTIVAL	
Rooming house	see LODGING HOUSE	
Rubbish on vacant lots etc.	see REFUSE ACCUMULATION	
Rules of procedure	see HEARINGS, REGULATIONS	
Rural housing programs	see HOUSING -	

Subject	Reference	Description and Notes
SAFETY ZONE	Municipal Act 210(124)	Council may set aside safety zones near bus or street car stops and prohibit cars from driving over them while a pedestrian is in one or entering one.
Sale or lease of public land	see PUBLIC LANDS - sale or lease	
Salvage yards	see JUNK YARDS	
Sand and gravel	see MINERAL AGGREGATES; BEACHES AND SHORES	
Sanitaria	see HEALTH AND SOCIAL SERVICE INSTITUTIONS	
Sanitary landfill	see LANDFILL; WASTE MANAGEMENT	
School attendance	see SCHOOLS -	
School pupils from mobile homes	see TRAILERS; TRAILER CAMPS	
SCHOOLS - private	Education Act	1(1)40 "Private School" means an institution at which instruction is provided at any time between the hours of 9 a.m. and 4 p.m. on any school day for five or more pupils who are of or over compulsory school age in any of the subjects of the elementary or secondary school courses of study and that is not a school as defined in this section (i.e. not a public, separate or secondary school).
- site		1(1)53 "School Site" means land or interest therein or premises required by a board for a school, school playground, school garden, teacher's residence, caretaker's residence, gymnasium, offices, parking areas or for any other school purpose.
- attendance		20(2) A child is excused from attendance at school.....if transportation is not provided by a board for the child and there is no school that he has a right to attend situated within 1.6 km. from his residence if he is under seven, within 3.2 km. if he is under ten, or within 4.8 km. if he is ten or over. 38 If a child lives more than 3.2 km. from school and no bus transportation is provided closer than 0.8 km. from home, he (she) may attend a school in an adjoining school section if it is closer.
- recreation		150(1)9 A school board may operate the school ground as a park or playground and rink. 150(1)22 A school board may permit the school buildings and premises to be used for any educational or other lawful purpose.
- recreation in unorganized territory		150(1)42 Where a recreation committee has been appointed in unorganized territory, a school board may exercise the powers of a municipal council to levy rates and collect taxes for the purposes of the recreation committee.
- recreation, shared use		160 A school board may enter into agreements for shared use of facilities for cultural, athletic, educational, administrative or other community purpose, including community recreation centres.
- transportation		10(1)29 The Minister may make regulations governing the transportation of pupils. 163 A school board <u>may</u> provide transportation to and from school.
- private vocational	Private Vocational Schools Act (Colleges and Universities)	1(c) "Private vocational school" means a school or place at which instruction in any vocation is offered or provided by classroom instruction or by correspondence, other than a college of applied arts and technology, a university recognized by the Ministry of Colleges and Universities or course of instruction maintained under any other act of the Legislature.
- mobile homes	see TRAILERS (Mobile homes)	
School sites	see SCHOOLS - site	
School transportation	see SCHOOLS - transportation	
Shared use of schools	see SCHOOLS - recreation, shared use	

S

Subject

Reference

Description and Notes

Secondary Highway	see HIGHWAY -	
Self-service gas station	see SERVICE STATIONS - self-service	
Semi-detached dwelling	see HOUSING -	
Senior citizen	elderly person	
SEPTIC TANK	Environmental Protection Act, Regulation 374/81 see also SEWERAGE; PUBLIC HEALTH -	A fact sheet is available from the Ministry of the Environment. It describes the minimum standards for septic tank system design, including location standards relative to buildings, water bodies and property lines.
SERVICE STATIONS	Municipal Act 210	151 An "automobile service station" means a building or place where gasoline, oil, grease, anti-freeze, tires, tubes, tire accessories, electric light bulbs, spark plugs and batteries for motor vehicles are stored or kept for sale, or where motor vehicles may be oiled, greased, or washed, or have the ignition adjusted, tires inflated or batteries charged, or where only minor or running repairs essential to the actual operation of motor vehicles are executed or performed. Council may regulate service stations in defined areas but this power does not permit the location of a service station contrary to a zoning by-law.
	Municipal Act 502	152 Council may also limit the number of service stations and of public garages. (Repeal not proclaimed)
- self-service	Gasoline Handling Act (Consumer & Commercial Relations)	1(n) "Service station" means any premises at which gasoline or an associated product is sold and is put into the fuel tanks of motor vehicles or into portable containers; Among other matters, the regulations pursuant to this Act state that self-service gasoline stations must be approved by the Ministry. The Ministry consults with the local municipality before approving an application.
SET-BACKS	Municipal Act 197 see also HIGHWAY - King's Highway; OBSTRUCTION OF VIEW	Council of a local municipality may establish a minimum building line set-back from a highway, as a preliminary step to widening the highway. Such a by-law requires O.M.B. approval. The required set-back may not exceed 6 metres, except that for the purpose of carrying out an official plan or of improving the appearance or utility of a highway, the O.M.B. may authorize greater set-backs.
Sewer and water levy	see IMPOSTS	
SEWERAGE	Environmental Protection Act	62 "Sewage system" is defined. The definition was changed in 1983.
- certificate of approval		64 No building may be constructed, enlarged or altered if such action affects the operation of the sewage system unless a certificate of approval has first been issued by the Ministry of the Environment. Similarly, no sewage system may be installed or altered without a certificate. 67 No person shall use a new sewage system without first obtaining a permit. 68 An order may be issued against persons operating in contravention of the certificate or permit requirements. If ignored, the work may be undertaken and charged to the owner. 69 No person may construct, clean, repair or empty a sewage system without a licence.
- subdivision, consent		70 A municipality may enter into agreements with the Minister providing for the issuance of certificates of approval, or permits, or for the making of orders or the carrying out of inspections respecting sewage systems proposed with applications for plans of subdivision or condominium or for consents or minor variances.

Subject	Reference	Description and Notes
- approval fee		71 Applications for approval of plans of subdivision or condominium may be subject to a fee for inspection and a certificate of approval. The fee would be set by the municipality by agreement with the Minister. Consent and minor variance applications may be subject to the fee, where they are sent to the municipality by agreement with the Minister. No application is subject to this fee if a sewage works has been approved under Section 24 of the Ontario Water Resources Act to serve the land, or if it is otherwise exempted by regulation. Applications for consent and subdivision approval are exempt from the fee if the lots are larger than 4 hectares. Consent applications are also exempt if the transaction is within the immediate family or where the land is owned by someone deriving their chief income from farming.
	Municipal Act 210	77,78 Council may regulate sewerage and drainage and may operate sewerage systems.
		147 It may prohibit and regulate the discharge of waste into sewers.
- area rate	Municipal Act 218	(1)-(16) Subject to O.M.B. approval, council may impose a sewer rate on occupants of land who may derive a benefit from sewage works to be constructed. The rate applies only to capital costs and no part of that capital cost may then be assessed under the Local Improvement Act. Lands deriving a deferred benefit may be included as well as those deriving immediate benefit.
		(17) Council may also establish a sewage service rate, notwithstanding the work may have been constructed under the Local Improvement Act.
		219 Owners of buildings may be required by by-law to connect their buildings with the sewage works.
- public utility commission	Municipal Act 220	The management of a sewerage system may be entrusted to a public utility commission.
	Ontario Water Resources Act (Environment)	24-32 No sewage works may be constructed or enlarged without a prior permit from the Ministry. Before a municipality extends a sewage works into an adjoining territory, the Minister will hold a public hearing. Application may be made to the O.M.B. for an order for needed road closings, etc. Agreements may be made between the municipalities for the use of the sewage works. The O.M.B. may order an amendment to an O.P. or zoning by-law to permit the use of land for sewage works. Sewage works must always be maintained to the satisfaction of the Ministry.
- project		34 Municipalities may apply to have the Minister build and operate a sewage works as a project.
		43 A public sewage service area may be designated by the Ministry and conditions may be imposed in order to regulate, provide or require sewage service in the area.
- boats		44 The Minister may make regulations relating to sewerage, etc. (see Regulation E.P.A. 305: pleasure boat sewage discharge).
		51,52 An industrial or commercial enterprise may be required by the Ministry to install necessary sewerage facilities and any discharge into sewage works may be prohibited or regulated.
- loans, grants	National Housing Act Part VIII	50 C.M.H.C. may make loans to assist in the construction or expansion of a sewage treatment project. (Maximum 2/3 of the cost). Alternatively, a grant may be made, not exceeding 25% of the amount of the loan which could have been made.
- regional plan		52 C.M.H.C. may subsidize up to 50% of the cost of preparing a comprehensive regional sewerage plan.
	see also LOCAL IMPROVEMENT; PUBLIC UTILITIES; PUBLIC HEALTH; COMMUNITY IMPROVEMENT	
SHOP	Occupational Health and Safety Act 1(25)	"Shop" means a building, booth or stall or a part of such building, booth or stall where goods are handled, exposed or offered for sale or where services are offered for sale.
	see also EARLY CLOSING BY-LAWS	
Shopping area - beautification	see BUSINESS IMPROVEMENT AREA	

Subject

Reference

Description and Notes

Shoreland	see BEACHES AND SHORES	
SIDEWALKS	Public Transportation & Highway Improvement Act	106 A local municipality may construct sidewalks and other improvements with the written consent of the authority having jurisdiction over the road. The cost may be borne out of general funds or by local improvement or be paid by the authority having jurisdiction.
- local improvement	see also HIGHWAY - county road	
SIGNS	Municipal Act 210 (141-144)	Council may prohibit or regulate signs and may require that non-complying signs be removed.
		Provision may be made for temporary signs, to be removed after a stated period.
		Minor variances from sign by-laws may be granted by the Municipal Council.
	Municipal Act 309(3)	Council may permit signs to project over the sidewalk.
	Public Transportation & Highway Improvement Act 34,38	The Minister has authority to control signing on property within 400 metres of a provincial highway. (See the Ministry's "Sign Control Policy for Field Advertising and Location Signs", available from The Office of Signs and Building Permits, 246-3235).
- traffic signs	P.A. 40(7)(a)2	Traffic direction signs on private property may be required as a condition of site plan approval.
	Building Code Act O. Reg. 925/75	Section 3.7 deals with structural and safety requirements for signs. Overhanging signs must be at least 8 feet clear of a sidewalk.
	see also TOURIST ESTABLISHMENTS; HIGHWAYS - gas pumps, - signs; OBSTRUCTION OF VIEW	
Site Plan Control	P.A. 40(2)(3)	Guideline 9 in the series of guidelines published by the Ministry of Municipal Affairs and Housing is entitled "Official Plans and the Use of Site Plan Control" (August, 1984) Section 40 was excluded when the 1983 Planning Act was proclaimed. It is due to be proclaimed on January 1, 1986.
Site plan agreement	P.A. 40(7)(c)	
SITE PLANNING	Canada Mortgage and Housing Corporation	C.M.H.C.'s "Site Planning Criteria" contains requirements applied in the review of applications submitted under The National Housing Act, as well as recommended standards designed to contribute to good project design. It includes criteria and standards relating to such matters as housing location relative to other uses, amenity areas and privacy zones for multiple housing, planting and public open space, parking area design, etc. The requirements are now only mandatory for social housing.
	see also BUILDING CODE - Ontario Building Code, Part 9	
SLAUGHTERHOUSES	Municipal Act 210(34)	Council may prohibit or regulate and inspect slaughterhouses and may prohibit anyone other than a farmer from slaughtering animals on his own premises.
	see also PUBLIC HEALTH - SCHEDULE B; RENDERING PLANT	
Snowmobile	see MOTORIZED SNOW VEHICLES	
Snowplowing-private road	see PRIVATE ROAD - snowplowing	
Snow road	see FENCES	
Soil stripping	see TOPSOIL REMOVAL	
Solar access	see ACCESS TO LIGHT AND AIR	
Solid waste	see LANDFILL	
Special Care Homes	see HEALTH AND SOCIAL SERVICE INSTITUTIONS - home for special care	
SPILL	Environmental Protection Act 79-112	Part IX of the Act deals with the abnormal discharge of a pollutant into the natural environment and with the prevention, clean-up and restoration of the natural environment. It also deals with liability for loss or damage arising out of a spill and with liability for the costs and expense of prevention, clean-up and restoration.
Stables	see GARAGES	

Subject	Reference	Description and Notes
STATUTE LABOUR	Statute Labour Act 3,4 (Transportation and Communications and Intergovernmental Affairs)	Applies in every township that has not passed a by-law abolishing statute labour. Every person on the assessment roll is liable to days of statute labour in proportion to his assessment. It may be commuted at not more than \$3 per day. In unincorporated areas, road commissioners may be elected for statute labour purposes and to open roads.
Stop order	see CONTROL ORDER	
Strata plan	see CONDOMINIUM	
STRATEGIC LAND USE PLAN		The Ministry of Natural Resources has prepared a series of plans stating in very broad terms how it wishes to use or influence the use of Crown land to meet its objectives. In southern Ontario a strategic land use plan is called a "Co-ordinated Program Strategy" to differentiate it from a land use plan prepared by a municipality. Three existing strategies cover southern Ontario, the north-east and the north-west. Individual plans or strategies cover each district within these areas. They are called "District Land Use Guidelines."
Street	see LOCAL IMPROVEMENT ACT; HIGHWAY; ROADS...	
Street Lighting	see HYDRO-ELECTRIC POWER; LOCAL IMPROVEMENTS	
STREET NAMES	Municipal Act 210(105)	Council may name streets and change their names, by by-law, and may affix the names at street corners on public or private property.
Student housing	see HOUSING -	
SUBDIVISION AGREEMENT	P.A. 40(7)(c), 40(8)(b), 40(10); Municipal Act 166	A model subdivision agreement for a small municipality has been prepared by the Ministry of Housing in 1979. It was re-issued in 1985 and is available from the Ontario Government Bookstore for \$1.00.
Subdivision control	P.A. 49(3)	"Subdivision Control in Registered Plans" available from the Ontario Government Bookstore for \$2.00 discusses deeming and part-lot control.
SUBDIVISION PLAN	Surveys Act (53) (Natural Resources) see also P.A. 50; PUBLIC LANDS - subdivision; REGISTERED PLAN	In this Act, a "plan of subdivision" means a plan of subdivision that is registered under the Land Titles Act or under the Registry Act.
SUBDIVISION PLAN AREA - restraining order	Registry Act 86 (Consumer & Commercial Relations)	The Director of Land Registration may issue a "Restraining Order" designating any area of land as a "subdivision plan area" and thereupon no land may be conveyed except in compliance with subsection 3 of Section 49 of the Planning Act.
SUBDIVISION ROAD SUBSIDY	Public Transportation & Highway Improvement Act 82	In general, the construction of new roads in subdivisions is not subsidized, since the developer normally builds these roads. However, in exceptional circumstances, a road may be designated as a main traffic artery and the municipality's expenditure may be eligible for subsidy.
Suburban road	see HIGHWAY -	
Suburban subdivision road rate	see HIGHWAY - township road	
Summer camp	see PUBLIC HEALTH - camps	
SWIMMING POOLS - fences	Municipal Act 210(23)	Council may pass a by-law to require fencing of private outdoor swimming pools.
- zoning	Planning Act 34	A pool is a structure and is regulated as such in several municipal zoning by-laws.
- public pools	Public Health Act 9(36)	The Minister may make regulations regarding location, maintenance, use, etc.

Subject

Reference

Description and Notes

Tannery	see INDUSTRIAL NUISANCE	
Tax arrears	see LANDS IN TAX ARREARS	
Taxation	see ASSESSMENT; PROVINCIAL LAND TAX	
TELEPHONE	Telephone Act (Transportation and Communications)	This Act applies to municipal subscriber-owned systems, public utility telephone systems and privately-owned industrial telephone companies, other than Bell Telephone.
Temporary use by-law	P.A. 38	
TERMITE CONTROL	Municipal Act 210(173,174)	
Territorial division	see BOUNDARIES	
Tertiary road	see HIGHWAY -	
Tile Drainage	see DRAINAGE	
Timber	see Trees	
TOP SOIL REMOVAL	Topsoil Preservation Act (Agriculture and Food)	1(b) "Topsoil" means that horizon in a soil profile, known as the "A" horizon, containing organic material.
		2 Councils of municipalities may pass by-laws regulating or prohibiting the removal of topsoil, and providing for the issuance of permits and requiring rehabilitation of lands from which topsoil has been removed. These by-laws do not apply to agricultural operations, sod farming, or the removal of topsoil incidental to activities authorized under the Pits and Quarries Act, the Mining Act, etc. and they may not be used to inhibit construction of development specifically permitted under the Planning Act, the Parkway Belt Planning and Development Act or the Niagara Escarpment Planning and Development Act.
TOPOGRAPHIC MAPS		The Ontario Basic Mapping Program is established to provide simple, generally unannotated maps on the grid system chosen by the Ontario Government for geographical referencing purposes (M.N.R.: telephone 965-1208).
	see also ONTARIO CO-ORDINATE SYSTEM	
TOURIST ESTABLISHMENTS	Tourism Act (Tourism & Recreation)	1(i) "Tourist establishment" means any premises operated to provide sleeping accommodation for the travelling public or sleeping accommodation for the use of the public engaging in recreational activities, and includes the services and facilities in connection with which sleeping accommodation is provided, but does not include: - <ul style="list-style-type: none"> i a camp operated by a charitable corporation approved under The Charitable Institutions Act, or ii a summer camp within the meaning of the regulations made under the Public Health Act, or iii a club owned by its members and operated without profit or gain. 3 No tourist establishment may be constructed or altered without a permit which must conform with the regulations. An annual licence is also required for all establishments.
- signs		12 No sign may be displayed which does not comply with the regulations.
		16 The Minister may make regulations regarding...the content of signs respecting tourist facilities, governing the plans and specifications of tourist establishments, etc.
- tourist camps	see TRAILER AND TOURIST CAMP AND MOTELS	
TOWN PLOT		It is not always clear if a lot on a town plot is a lot on a registered plan within the meaning of the Planning Act. Lawyers for vendors and purchasers must determine in each instance if they are conveying and receiving good and marketable title.
Townsend community	see ONTARIO LAND CORPORATION	
Township road	see HIGHWAY -	

Subject

Reference

Description and Notes

TRAFFIC	Municipal Act 210(117)		Council may prohibit heavy traffic as defined in the by-law.
	Highway Traffic Act	169	A by-law for regulating traffic must be filed with the Ministry. If it affects traffic on a connecting link, it must be approved by the Ministry.
TRAILERS (Mobile homes)	Education Act	97-108	Heavy vehicles may be caused to obtain a permit to use certain roads.
		227	"Trailer" and "Trailer Camp" or "Trailer Park" are defined but the definition includes a vehicle more properly called a "mobile home" (See MOBILE HOME herein).
			A municipality which collects licence fees from "trailers" must pay a proportion of those fees to the school boards, in the same proportion as school taxes bear to total taxes. This does not apply to municipally operated "trailer camps".
		228	In unorganized territory, a fee of \$5 per month is payable by a trailer occupant to the local public or separate school board, except in July and August and \$5 per month is payable to the secondary school board. No fee is payable if the "trailer" is assessed under the Assessment Act.
TRAILER AND TOURIST CAMPS AND MOTELS	Municipal Act 232(15)		Council may regulate and license tourist camps, trailer camps and motels. Minimum trailer lot sizes may be prescribed. Licence fees not exceeding \$20 per month per lot may be charged, unless the lot is occupied temporarily by people whose normal place of residence is elsewhere, or unless the trailer is assessed.
	Municipal Act 210	95	A trailer is defined as any vehicle so constructed that it is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle, and capable of being used for the living, sleeping or eating accommodation of persons, notwithstanding that such vehicle is jacked-up or that its running gear is removed.
- licences			Trailers may be licensed for a fee not exceeding \$20 per month, provided they are not assessed under the Assessment Act. This provision really applies to mobile homes which are not in a municipally licensed trailer park.
- municipal trailer camps		96	Municipal trailer camps may be established, fees may be charged and the corporation must reimburse the school boards for each pupil residing in a trailer.
TRAILERS (Tow trailers)	Highway Traffic Act 1(1)38		Note that this definition includes a boat trailer, skidoo trailer, u-haul, etc. but NOT a mobile home.
			"Trailer" means a vehicle that is at any time drawn upon a highway by a motor vehicle, except an implement of husbandry, a mobile home, another motor vehicle or any device or apparatus not designed to transport persons or property, temporarily drawn, propelled or moved upon such highway, and except a side car attached to a motorcycle, and shall be considered a separate vehicle and not part of the motor vehicle by which it is drawn.
TRANSIENT ACCOMMODATION	Retail Sales Tax Act 1(24) (Revenue)		"Transient accommodation" means the provision of lodging in hotels, motels, hostels, apartment houses, lodging houses, boarding houses, clubs and other similar accommodation, whether or not a membership is required for the lodging, but does not include lodging let for a continuous period of one month or more or lodging in a lodging house, rooming house, or boarding house, if such house has accommodation for fewer than four tenants.
TRANSMISSION LINE	Ontario Energy Board Act 1(21) (Energy)		"Transmission line" means a pipe line, other than a production line, a distribution line, a pipeline within an oil refinery, oil or petroleum storage depot, chemical processing plant, or pipeline terminal or station.
TRANSMISSION POLES, WIRES	Municipal Act 210(108) and (111)		Council may regulate the erection and maintenance of poles, wires, cables, etc. on highways and public places. This does not, however, confer a power of taxation. (See Coaxial Colovriev Ltd. et al vs. Borough of Scarborough, 1974).
	see also HYDRO-ELECTRIC POWER		
Transportation	see PUBLIC TRANSPORTATION; RAPID TRANSIT; COMMUTER SERVICES; HIGHWAY		

Subject

Reference

Description and Notes

TREES

Forestry Act
(Natural Resources)

Provides for furnishing trees to individuals and municipalities and agreements for the Crown to manage forest lands. (Agreement forest).

Public Transportation &
Highway Improvement Act

30 The Ministry may plant trees upon the King's Highway and charge the cost to maintenance. No person may destroy or injure any tree within the limits of a highway, except with the Ministry's consent. The Ministry may subsidize tree planting adjoining a highway.

- obstructions

34 and 38(2)b No person may place a tree or shrub within 45 metres of a King's Highway or a controlled access highway or 180 metres of an intersection except under permit from the Minister.

107 A municipality or suburban roads commission may plant trees on its roads and charge the cost to maintenance.

Council may authorize the planting of trees on highways and subsidize such planting by individuals.

Municipal Act 313

21(o) A Conservation Authority is empowered to plant and produce trees on Crown or other lands.

Conservation Authorities
Act (Natural Resources)

The general purpose of this Act is to prevent the destruction of trees in the agricultural areas of Ontario.

Trees Act
(Natural Resources)

2 Trees planted on a lot boundary are common property of adjoining owners.

4 County council or council of a separated municipality may regulate and restrict the cutting of trees, with the Minister's written approval.

5 A number of exceptions are cited to the application of section 4. One of these is that it does not affect the destruction of trees in order to erect a building for which a building permit has been issued.

7-12 Councils may acquire and maintain land for forestry purposes and may encourage reforestation on private property by granting exemption from general taxation and by planting and fencing at municipal expense.

Crown Timber Act
(Natural Resources)

This Act deals with the sale of Crown timber, the issuance of licences to cut Crown timber, the requirements for forest management plans, operating plans, annual plans and inventories, the licensing of mills, etc.

see also PUBLIC LANDS -;
LOCAL IMPROVEMENTS;
OBSTRUCTION OF VIEW;
WOODLANDS; P.A. 40(7)(a)6

"Urban Tree and Forest Legislation in Ontario" is a comprehensive work published in 1978 by the Great Lakes Forest Research Centre, Department of the Environment, Box 490, Sault Ste. Marie, Ontario P6A 5M7.

TRESPASS AND OWNER'S
LIABILITY

Trespass to Property Act
(Attorney General)

These Acts set out the basic duty of care for landowners, requiring them to do what is reasonable in all circumstances to see that persons entering their property are not injured by the conditions of the premises or by the activities on the premises. However, provisions are included to protect owners wishing to permit recreational use of their property.

Occupier's Liability Act
(Attorney General)

Subject	Reference	Description and Notes
Underground wiring	see HYDRO-ELECTRIC POWER -; TRANSMISSION POLES, WIRES	
UNFINISHED BUILDING	Ontario Building Code 2.6 see also BUILDING CODE - occupation of new building	The Building Code deals with the occupancy of unfinished buildings.
UNORGANIZED TERRITORY	Public Hospital Act 1(t)	In this Act "unorganized territory" means those parts of Ontario that are without municipal organization, including Indian reservations and provincial parks, but not including property of the Government of Canada used for the purposes of national defence installations, camps or stations.
	Municipal Act 1.26	"Unorganized territory" means that part of Ontario without county organization.
- roads	Public Transportation and Highway Improvement Act 91	The Minister may arrange with a local roads board or with road commissioners or a landowner to construct and maintain a road in unorganized territory.
	Municipal Act 319	1 Road allowances in unorganized territory are Crown Land. The Lieutenant Governor in Council (i.e. Cabinet) may close, alter, divert, sell or lease them.
- assessment	Provincial Land Tax Act (Revenue)	This Act deals with the assessment and taxation of all land situated in territory without municipal organization.
- exempt lands		3 Categories of exempt lands are described (similar to exempt properties under the Assessment Act).
- assessed value		4 The assessed value of land for the purposes of the Act is the price that it might be expected to bring if offered for sale on the open market by a person who is solvent.
- Provincial Land Tax Register		6 Assessment information on unorganized territory is kept in the Provincial Land Tax Register.
- building permit		The requirement for a permit under the Building Code Act does not apply in unorganized territory.
- mobile homes		A guideline is available from the Ontario Government Bookstore to assist planning boards enforce the mobile home provisions of the Planning Act in unorganized territories: "Mobile Homes in Unorganized Territories".
	see also PUBLIC HEALTH -; LOCAL ROADS BOARD: P.A. 19 & 22; PUBLIC LAND - restricted area: SCHOOLS - ; COMMUNITY CENTRE -	
UNSAFE BUILDINGS	see BUILDING CODE - abandoned buildings	
Urban design	see BUSINESS IMPROVEMENT AREAS	
Urban drainage	see DRAINAGE	
URBAN RENEWAL	National Housing Act Part III	25.1 Federal urban renewal funding has been cut off for all projects except those underway prior to February 1, 1973.
	see also P.A. 28-32; Maintenance and occupancy standards; COMMUNITY IMPROVEMENT	
URBAN SERVICE AREA	Municipal Act 14(12)	The O.M.B. may define urban services and cost of urban services and may establish urban service areas in a municipality enlarged by annexation or amalgamation. The Board may determine how the cost of providing urban services is to be distributed on lands in the municipality.
Urban transit Service area	see PUBLIC TRANSPORTATION	
Utilities	see PUBLIC UTILITIES	
UTILITY LINE	Ontario Energy Board Act 1(23) (Energy)	"Utility line" means a pipeline, a telephone, telegraph, electric power or water line, or any other line that supplies a service or commodity to the public.



Subject

Reference

Description and Notes

VACANT LAND CONDOMINIUM	Condominium Act 3(1) and 4(1)(e) (Consumer and Commercial Relations)	The existing legislation does not allow this form of development. The Condominium Act requires a declaration which must contain a description, including a certificate of a surveyor that the buildings have been constructed.
VALIDATION OF LOTS	P.A. 56	A pamphlet entitled "Validation Guidelines" has been produced by the Ministry of Municipal Affairs and Housing. It pertains to lots created in contravention of the Planning Act prior to March 19, 1976.
VEHICLE	Highway Traffic Act 1(1)39 see also MOTOR VEHICLE ACCESS TO PROPERTY	"Vehicle" includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a motorized snow vehicle or the cars or electric or steam railways running only upon rails.
Veteran's Housing	see HOUSING	
VETERANS' LAND	Veteran's Land Act (Federal - Veterans' Affairs)	Designed to assist war veterans to settle as full or part-time farmers or as commercial fishermen, this Act provides financial assistance to qualified veterans. The minimum lot area quoted in the Veterans' Land Regulations is one half acre, which may in some cases be reduced by 20%.
Visual pollution	see AESTHETICS	
Vocational Schools	see SCHOOLS -	

Subject	Reference	Description and Notes
Walkways	P.A. 40(7)(a)4; see also BICYCLE AND FOOTPATHS	
Waste disposal sites	see WASTE MANAGEMENT	
WASTE MANAGEMENT	Environmental Protection Act Part V	<p>24 "Waste" includes ashes, garbage, refuse, domestic waste, industrial waste, municipal refuse, etc.</p> <p>26-27 No waste management system or waste disposal site may be established or enlarged without a certificate of approval.</p> <p>28 No money may be spent by any municipality for waste disposal without a certificate of approval.</p> <p>29 The Minister may tell a municipality to institute a waste collection or management system.</p> <p>30-31 Where a waste disposal site application involves considerable industrial waste, a public hearing must be held by the Ministry unless the situation is deemed an emergency.</p> <p>34 No certificate of approval may be issued unless the applicant deposits sufficient funds to ensure satisfactory maintenance of the site or system. Municipal waste disposal sites and systems may also be subject to public hearings.</p> <p>39 No waste may be deposited except on a waste disposal site.</p> <p>46 Reference is also made to waste disposal wells and to compensation for pollution through such wells.</p>
- waste disposal wells		
- types of waste	Regulation 309 (E.P.A.)	<p>2,3 The following types of waste are defined: agricultural wastes, condemned animals, derelict motor vehicles, hauled liquid industrial waste, hauled sewage, hazardous waste, incinerator waste, inert fill, processed organic waste and rock fill or mill tailings from a mine.</p> <p>In March, 1983, the Ministry published an "Interim Guideline for the interpretation of the Hazardous Waste Definition (Regulation 309)".</p>
- hazardous waste		
- waste disposal sites		<p>4 The following types of waste disposal sites are listed and described: composting sites, derelict motor vehicle sites, dumps, grinding sites, incineration sites, landfilling sites, on-site incinerators, on-site garbage grinders, organic soil conditioning sites, packing and baling sites and transfer stations.</p>
- waste management systems		<p>6 The following waste management systems are classified: municipal waste management systems, private waste management systems, individual collection systems, hauled liquid and hazardous waste collection systems, marine craft waste disposal systems and organic waste management systems.</p>
- standards		<p>8-13 Standards are prescribed for land-filling sites, incineration sites, dumps, organic soil conditioning sites, derelict motor vehicle sites and waste management systems.</p>
- area rate	Municipal Act 210	<p>83-85 Council may establish a system of garbage collection and disposal, with the approval of the Ministry of Health, and may acquire land for a disposal site in another municipality, by agreement or else with O.M.B. approval, and may levy a special rate for garbage disposal purposes.</p>
- garbage dumps		<p>129 Council may prohibit or regulate and inspect garbage dumps or waste disposal areas of any kind. (This authority is not abrogated by the Environmental Protection Act, see Raes vs Township of Plympton, 1971).</p>
WATER CANALS IN SUBDIVISIONS	Municipal Act 216	<p>Council may accept conveyance of lands in registered plans of subdivision for water canals and may maintain these canals. The cost of maintenance may be apportioned on surrounding property. The use of the canals may be regulated and boat speed limits may be set. Abutting owners may be permitted to construct docks or slips and may be charged an annual fee.</p>
Water control	see CONSERVATION; DRAINAGE; PUBLIC LANDS	
Water management	see CONSERVATION (NATURAL ENVIRONMENT)	
Water pollution	see WATER QUALITY	
Water privilege	see LAKES AND RIVERS -	

Subject

Reference

Description and Notes

WATER QUALITY

Ontario Water Resources Act 14-18 (Environment)

The quality of water may be deemed to be impaired if any material discharged in it may cause injury to any living thing (14). The Minister of the Environment supervises all surface and ground waters. If the quality of a water body is being impaired the Minister may apply for an injunction to prohibit the discharge (15). Pollution of a water body is punishable by a fine of up to \$5,000 for a first offence (16). The discharge of any sewage into any water body may be prohibited or regulated (17), and the Ministry may order that necessary equipment be used to alleviate pollution.

see also SPILL

- pollution of fish

Fisheries Act 33, 34 (Environment Canada)

The Minister has authority to review the plans for any works that could result in the deposit of deleterious substances in water frequented by fish.

- pollution from vessels

Canada Shipping Act (Transport Canada)

This Act and its regulations provide for the control of pollution from vessels, as determined to be necessary to fulfill Annexes 4 and 5 of the Great Lakes Water Quality Agreement.

Environmental Contaminants Act (Environment Canada)

This Act is intended to permit regulation of any substance suspected to constitute a danger to human health or the environment. Regulations have not yet been proclaimed but some are being developed for polychlorinated biphenols (PCB's).

Canada Water Act (Environment Canada)

Designed to permit research, planning and implementation programs for the conservation, development and use of Canadian Water resources through formal agreements with the provinces, this Act has to date only introduced a regulation controlling the phosphorus content in detergents.

see also PUBLIC HEALTH; LAKES AND RIVERS

Water resources

see WATER QUALITY; WATERWORKS

WATER SUPPLY

Ontario Water Resources Act 19, 20

An area may be defined that includes a source of public water supply and no person may swim in it, impair its quality or diminish the amount available. All large water users (over 50,000 litres per day) must obtain a permit from the Ministry. This does not apply to farm or domestic purposes.

see also WELLS; PUBLIC UTILITIES

Waterways

see NAVIGABLE WATERS; LAKES AND RIVERS; PROVINCIAL PARKS - classification

WATERWORKS

Ontario Water Resources Act

23 No waterworks may be started or enlarged without the prior approval of the Ministry.

- projects

34-35 A municipality may apply to the Minister to have him (her) provide and operate its waterworks as a project.

- rate

36 Subject to O.M.B. approval, a waterworks rate and a water service rate may be imposed.

- service area

43 A public water service area may be designated by the Ministry and conditions may be imposed by order to regulate, control, prohibit or provide water service.

- loans, grants

National Housing Act (C.M.H.C.)

50 C.M.H.C. may make loans to any province or municipality for the construction or expansion of water supply systems, in order to encourage comprehensive land use and residential development in previously undeveloped areas. (Maximum 2/3 of the cost). Alternatively, a grant may be made, not exceeding 25% of the amount of the loan which could have been made.

- regional plan

52 C.M.H.C. may subsidize up to 50% of the cost of preparing a comprehensive regional water supply plan.

see also PUBLIC UTILITIES; PUBLIC HEALTH; COMMUNITY IMPROVEMENT; REGIONAL MUNICIPALITIES

Wayside pits

see MINERAL AGGREGATES

Subject

Reference

Description and Notes

WEED CONTROL	Weed Control Act (Agriculture and Food)	6,8 Every county, district and regional municipality must appoint an area weed inspector. Other municipalities may appoint a municipal weed inspector.
- entry on private property		10 For the purpose of searching for noxious weeds, an inspector may enter at any time between sunrise and sunset upon any land and building other than a dwelling house.
		11 An inspector may order the destruction of noxious weeds and the owner must comply. Provision is made for appeal procedures.
		13 If the owner fails to comply, the inspector may destroy the weeds and charge the owner on his tax bill.
- subdivided areas		14 A municipality may direct its inspector to destroy the weeds on any subdivided property and may recover the cost from the owners in the same manner as taxes.
		20 Sections 11 and 14 do not apply to lands so far distant from any agricultural or horticultural use that the weeds would have no material effect on those uses.
		22 Provision is made for provincial regulations and subsidies.
WELLS	Ontario Water Resources Act O/Reg. 739	20(7) Leaking wells may be regulated by the Ministry.
		21(1)(f) "well" means a hole made in the ground to locate or to obtain ground water or to test or to obtain information in respect of ground water or an aquifer, and includes a spring around or in which works are made or equipment is installed for collection or transmission of water and that is or is likely to be used as a source of water for human consumption.
		22 In designated areas, a permit is required before a well may be dug. It may be refused for a number of reasons.
WETLAND	Municipal Act 210 (75,82)	Council may pass a by-law to purchase wetland in the municipality and to drain it. Land may also be purchased in an adjoining municipality to prevent flooding.
WILDERNESS AREAS	Wilderness Areas Act (Natural Resources)	2 Cabinet may set aside wilderness areas, which are under control of the Minister.
		3 Nothing in this Act limits the utilization of the natural resources in a wilderness area of more than 260 hectares.
	see also PROVINCIAL PARK - classification	7,8 Regulations may be made for any wilderness area. Contraventions are subject to fines of up to \$500.
Wiring	see HYDRO-ELECTRIC POWER - underground wiring	
WOODEN BUILDINGS	Municipal Act 210 (32)	Council may prohibit the erection of wooden buildings or wooden additions or fences or the removal of such structures from one place to another.
WOODLANDS	Woodlands Improvement Act (Natural Resources)	1 "Woodlands" means lands having at least 1,000 trees per hectare of all sizes or at least 750 trees per hectare over 5 cm in diameter or at least 500 trees per hectare over 12.5 cm in diameter or at least 250 trees per hectare, measuring over 20 cm in diameter, but does not include a plantation established for the purpose of producing Christmas trees.
		2 The Minister may enter into agreements with owners of suitable lands in a private forest management area for the planting of nursery stock and improvement of woodlands.
		3 Cabinet may make regulations designating parts of Ontario as private forest management areas.
	Assessment Act 18(7)(8)	The assessed value of woodlands is not influenced by the presence or removal of trees.
	see also TREES	
Wrecking yards	see JUNK YARDS	

Z

Subject

Reference

Description and Notes

Zoning around
airports

see AIRPORT ZONING

Zoning by-law

P.A. 34

Guideline 8 in the series of guidelines published by the Ministry of Municipal Affairs and Housing is entitled "Zoning and Other Land Use Controls". (October, 1983)

Zoning in annexed
areas

see ANNEXATION AND
AMALGAMATION - zoning

Zoning in provincial
parks

see PROVINCIAL PARKS -
zoning

Zoning on county
road

see HIGHWAY - zoning

Zoning orders

P.A. 47; see also
PARKWAY BELT -

Guidelines on the administration of zoning orders in unorganized territories were published by the Operations Control Branch, Ministry of Municipal Affairs and Housing, in September, 1981.

Zoning plans on
public lands

see PUBLIC LANDS - zones

a planner's reference

was prepared by:

Research and Special Projects Branch

Senior Planner
Pierre Beeckmans
585-6257

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TR
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1989

A PLANNER'S REFERENCE

to legislation, provincial
policies and guidelines



Ontario

Ministry of
Municipal
Affairs

John Eakins, Minister

1989

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Foreword to Sixth Edition

It is four years since the Planner's Reference was last updated and there have been numerous changes. The slim volume was beginning to take on some weight with all the added references to guidelines and policies and snippets of useful information. It was therefore decided to do away with the index, which we suspect was used very little, since the cross references are repeated throughout the text.

As before, we welcome comments and suggestions for changes in the next edition. They should be addressed to:

The Director
Program Services Branch
Ministry of Municipal Affairs
777 Bay Street, 13th Floor
Toronto, Ontario
M5G 2E5

May, 1989

Caution

This reference manual is intended to assist you in finding legislation pertinent to various planning topics. It should not be used as a substitute for the legislation itself; neither should the comments be quoted as being necessarily expressions of government policy or interpretations with official status.

Subject

Reference

Description and Notes

Abandoned Buildings	see BUILDING CODE	
ABANDONED MOTOR VEHICLES	Environmental Protection Act, 48-61	An abandoned vehicle may be removed by a police officer or a designated provincial officer to an abandoned motor vehicle site. The owner must be notified that he has thirty days to claim the vehicle. If he does not receive notice, the owner may claim compensation.
- derelict motor vehicle		<p>48(a) "Abandoned motor vehicle" means a vehicle that has been left unattended without lawful authority and that appears to an officer, by reason of its age, appearance, mechanical condition or lack of licence plates, to be abandoned.</p> <p>1.7a "Derelict motor vehicle" is defined as a motor vehicle that,</p> <ol style="list-style-type: none"> i. is inoperable; and ii. has no market value as a means of transportation or, has a market value as a means of transportation that is less than the cost of repairs required to put it into operable condition. <p>The responsibility for the approval of derelict motor vehicle sites has been delegated by the Ministry of the Environment to the municipalities. A model by-law has been prepared by the Waste Management Branch of the ministry. Enquiries may be directed to a regional office of M.O.E.</p>
ABANDONED ORCHARD	Abandoned Orchards Act (Agriculture and Food)	<p>If an orchard has been designated by the Provincial Entomologist as a neglected orchard, or if no fruit has been produced on it for sale for two consecutive growing seasons, an orchard may be termed to be an "abandoned orchard" and the owner is then obliged to destroy all fruit trees in it.</p> <p>This Act only applies to orchards located within 275 metres of a commercial orchard.</p>
ABANDONED RAILWAY LINES	Line Fences Act 19	Municipalities or abutting owners acquiring abandoned railway lines have a responsibility to construct, repair and maintain boundary fences.
Abattoirs	see SLAUGHTERHOUSES	
Access road	see MOTOR VEHICLE ACCESS TO PROPERTY; FIRE MATTERS - access route; PROVINCIAL PARK -	
ACCESS TO LIGHT AND AIR	Limitations Act 33 (Attorney General)	<p>Generally speaking, a landowner is only entitled to light and air from the vertical column of space above his own property. Rights over neighbouring property may be acquired by agreement in writing.</p> <p>A legal discussion on this subject is contained in "Perspectives on Access to Sunlight" published by the Ontario Ministry of Energy in 1980.</p>
Access to private property	see ENTRY ON PRIVATE PROPERTY; HYDRO-ELECTRIC POWER; PUBLIC WORKS; PUBLIC HEALTH; MOTOR VEHICLE ACCESS TO PROPERTY; HIGHWAY - access to property	
Action to restrain contravention of by-law	see ENFORCEMENT OF BY-LAWS	
ADULT ENTERTAINMENT	Municipal Act 222 Theatres Act 16(2) see also BODY RUB PARLOURS	"Adult entertainment parlour" is defined. Council may pass a by-law to define the areas in which adult entertainment parlours may be located and may limit their number and regulate their hours of operation.
ADVERSE EFFECTS	Environmental Protection Act 1(1)(a)	<p>"adverse effects" means one or more of,</p> <ol style="list-style-type: none"> (i) impairment of the quality of the natural environment for any use that can be made of it, (ii) injury or damage to property or to plant or animal life, (iii) harm or material discomfort to any person, (iv) an adverse effect on the health of any person, (v) impairment of the safety of any person, (vi) rendering any property or plant or animal life unfit for use by man, (vii) loss of enjoyment of normal use of property, and (viii) interference with the normal conduct of business; <p>This definition is used in Part IX of the Act, dealing with SPILLS.</p>

Subject

Reference

Description and Notes

Aesthetics	see SIGNS; BUSINESS IMPROVEMENT AREAS...; P.A. 40; LAKES AND RIVERS -	
Affordable Housing	see HOUSING - housing policy	
Aged	see ELDERLY PERSONS CENTRE; HEALTH AND SOCIAL SERVICE INSTITUTIONS - home for the aged, - nursing home; HOUSING - elderly persons	
Aggregates	see MINERAL AGGREGATES	
Agreement forest	see TREES	
AGREEMENTS	Municipal Act 200, 325 see also: Subdivision agreement; CONDOMINIUM - maintenance agreement; P.A. 40(7)(c) - site plan agreement.	A municipal corporation has a right to enforce a contract or agreement. Council may pass a by-law to ensure that in case of default, the municipality may do the work and recover the cost through taxes.
Agricultural Code of Practice	see AGRICULTURAL POLLUTION	
Agricultural Development	P.A. 49(11) re A.R.D.A.	
AGRICULTURAL HOLDING	1981 census definition	An agricultural holding is defined as a farm, ranch or other agricultural holding with sales of agricultural products in the year 1980 of \$250 or more.
- foreign ownership	Non-resident Agricultural Land Interests Registration Act (Agriculture and Food) Land Transfer Act (Revenue)	Foreigners owning an interest in ten hectares or more of agricultural land must file a registration report. They are then liable to pay a land transfer tax. In order to plug a previously existing loop-hole, this Act now deems that a taxable disposition of land occurs when a corporation owning agricultural land in Ontario becomes nonresident. This prevents a non-resident from avoiding the 20% tax by purchasing shares in a company owning Ontario agricultural land.
AGRICULTURAL LAND	P.A. 3	The Provincial Policy on the Preservation of Agricultural Land is being produced by the Minister of Municipal Affairs and the Minister of Agriculture and Food. It has been circulated for discussion and will eventually supersede the 1978 Food Land Guidelines.
- policy statement		
- nuisance claims	Farm Practices Protection Act, 1987	Persons engaged in agricultural operations are protected from nuisance claims in respect of odour, noise and dust resulting from normal farm operations. A Farm Practices Protection Board is established to resolve any disputes as to what constitutes normal farm practice.
- Farm Practices Protection Board	 see also PUBLIC LANDS - public agricultural land committee	
AGRICULTURAL POLLUTION		The Agricultural Code of Practice was prepared jointly by the Ministry of Agriculture and Food, the Ministry of the Environment and the Ministry of Municipal Affairs and Housing (1976). It applies to livestock and poultry farms and includes minimum land areas for manure utilization, separation distances from dwellings, guidelines for regulating encroachment on established farms, methods to control water pollution, advice on the disposal of dead animals, etc. A new Code of Practice is likely to be introduced when the new Foodland policy is in place.
- Agricultural Code of Practice		
- separation distance		
AGRICULTURAL WASTE	Environmental Protection Act, Regulation 309	1.3 "Agricultural waste" means waste, other than sewage, resulting from farm operations, including animal husbandry and where a farm operation is carried on in respect to food packing, food preserving, animal slaughtering or meat packing, includes the waste from such operations.
AIR POLLUTION	Environmental Protection Act	5. No person shall construct, alter, extend or replace any plant.... that may emit or discharge a contaminant into the natural environment.... unless he has obtained a certificate of approval. 136 The Lieutenant Governor in Council may make regulations and publish standards and guidelines relating to all manner of pollution. Regulations 295 to 297 relate to Air Contaminants from Ferrous Foundries, Ambient Air Quality Criteria and Asphalt Paving Plants. Regulation 308 is a general regulation spelling out equations to be used and standards to be met. Regulation 312 deals with the sulphur content of fuels.

Subject

Reference

Description and Notes

	Clean Air Act (Environment - Federal)	The <u>Clean Air Act</u> and several other pieces of environmental legislation were replaced by the <u>Canadian Environmental Protection Act</u> in 1988.
Air space over highways	see HIGHWAY - use of space over	
AIRCRAFT NOISE		The Ministry of Municipal Affairs administers the "Land Use Policy near Airports" published in 1978 by the Ministry of Housing. The policy adopts standards described in C.M.H.C.'s "New Housing and Airport Noise". Reference is made to Noise Exposure Forecast contours, published by C.M.H.C. for most airports and to Noise Exposure Projection contours, which are longer range projections published by the Ministry of Municipal Affairs for a few airports. The noise contours reflect noise produced by all types of aircraft at an airport, taking into consideration the number of flights, the duration of noise, the time of day and the frequency components of the sound (pure tones).
AIRPORT	Airports Act 1-4 (Transportation)	The provincial government may enter into agreements with a municipality, an individual and the federal government for the establishment or enlargement of an airport. The Minister may acquire, establish, operate and maintain airports; he may provide funds to a municipality or an individual for such purposes.
	Municipal Act 208(10)	A municipality may establish and operate an aerodrome within its boundaries or in adjoining territory.
AIRPORT ZONING	Aeronautics Act (Transport-Federal)	In the vicinity of an airport, the Minister of Transport may regulate the height of buildings through a zoning plan, registered on title. Persons injuriously affected may recover compensation. Light, smoke and noise which could interfere with airport operations may also be prohibited. Planning guidelines for the use of land outside the airport property boundary are published by the Canadian Air Transportation Administration.
AMUSEMENTS	Amusement Device Act, 1986 (Consumer & Commercial Relations)	Regulations applicable to midway-type rides as well as go-karts and water slides provide for province-wide inspection and licensing.
AMUSEMENT ARCADE	City of Cambridge Act, 1985	Private legislation allows the City to license, regulate and govern amusement arcades with three or more machines or games. Kitchener has similar legislation.
ANIMALS	Municipal Act 210(1-6)	Council may prohibit or regulate the keeping of any class of animals or limit the number of animals kept in any defined area. ("Animal" includes birds and reptiles.) Establishments for the boarding or breeding of animals may be regulated.
	see also RENDERING PLANT, SLAUGHTERHOUSE	
ANNEXATION AND AMALGAMATION	Municipal Boundary Negotiations Act (Municipal Affairs)	This Act provides a method by which municipalities may, by agreement, resolve annexation or amalgamation problems or resolve intermunicipal problems arising in respect of boundary-related issues. Upon application, the Minister appoints a fact-finder. If the fact-finder's report indicates agreement, the Minister may introduce an Order in Council to implement the agreement. Otherwise, a negotiating committee may be formed, and a subsequent agreement, which is first subjected to two rounds of public meetings, may be implemented by order in council. The Act does not apply to municipalities without municipal organization nor to municipalities in regional government areas, unless the Minister deems the annexation to be minor.
	see also BOUNDARIES; URBAN SERVICES AREAS	
- official plans, zoning		Official plans and zoning by-laws in annexed areas remain in force unless repealed by the annexing municipality.
		A Guide to the Municipal Boundary Negotiations Act is available from the Ontario Government Bookstore.
	Barrie - Innisfil Annexation Act, 1981	This Act implements a negotiated annexation. The City may not apply for further annexation within 30 years, except for certain lands, which may be applied for within 15 years.

A

Subject

Reference

Description and Notes

Appeals	see PUBLIC PARTICIPATION - appeals	
Application fees	P.A. 68	Guideline 7 under the 1983 Planning Act is entitled "Planning Application Fees."
Archaeological preservation	see HERITAGE CONSERVATION	
Architectural preservation	see HERITAGE CONSERVATION	
AREA RATE		
- police	Police Act 22	Police costs may be met by levying rates that are different between areas defined by a township council or by levying rates in one or more of such areas only.
	see also BOUNDARIES; DRAINAGE -; IMPOSTS; LOCAL IMPROVE- MENTS; PUBLIC TRANSPORTATION-; PUBLIC UTILITIES -; RECREATION -; SEWERAGE -; WASTE MANAGEMENT -; WATERWORKS -; HYDRO-ELECTRIC POWER; BUSINESS IMPROVEMENT AREA; PARKING LOTS; TELEPHONE	
ASSESSMENT	Assessment Act (Revenue)	
- property exempt from taxation		3 The following types of property are exempt from taxation; Federally or provincially owned land, Indian lands, churches, cemeteries, public or separate school buildings and grounds, universities, seminaries, public hospitals, charitable institutions, industrial farms, scouts and guides property, municipal property, public libraries, horticultural societies, exhibition buildings
- business assessment		4 Council may also by by-law exempt land owned by religious institutions and used for recreation.
- market value		7 In addition to land assessment, a sum computed as a percentage of the land assessment is charged as business assessment.
- areas exempt from taxation		18 "Market value" is the amount that land might be expected to realize if sold in the open market by a willing seller to a willing buyer. Bill 192, given first reading on November 28, 1988, would allow the Minister of Revenue to direct a county-wide assessment based on market value. A city or separated town would have the option to participate.
- golf course		20 Council may annually pass a by-law declaring which farming areas, if any, of the municipality are exempt or partly exempt from taxation for expenditures incurred for waterworks, fire protection, garbage collection, sidewalks, pavements, sewers, street lights and street maintenance.
- farmland		22 A golf course may be granted fixed assessment. (Not applicable to buildings, and does not apply to local improvement taxation.)
	see also UNORGANIZED TERRITORY; CONDOMINIUM - assessment	86. In determining the market value of farmland used only for farm purposes, no consideration may be given to sales to persons whose principal occupation is other than farming.
Assessment, Environmental	see ENVIRONMENTAL ASSESSMENT	
Assessment information for planning	P.A. 67	
Assumption of highway by a municipality	see HIGHWAY - assumption	
ASSUMPTION PLAN	Public Transportation and Highway Improvement Act 6	This is a plan by the Minister of Transportation to establish the vesting of a highway in the Crown.
Auditorium	see PUBLIC HALL; RECREATION	
Automated Recording and Property Mapping System	see LAND REGISTRATION	
Automobile	see MOTOR VEHICLE, CAR WASH	
Automobile service station	see SERVICE STATION	
AUTOMOBILE WRECKING YARD	Municipal Act 210(130) and 228	Council may prohibit, regulate and inspect motor vehicle wrecking yards.
	Highway Traffic Act 41	Motor vehicle or trailer dealers, car wreckers and used car dealers must obtain a licence from the Ministry. An appointed officer under the Act or a constable is authorized to enter any of these premises for the purpose of investigation and inspection.
	see also JUNK YARDS	

Subject	Reference	Description and Notes
Barn	see GARAGE; AGRICULTURAL POLLUTION; BUILDING CODE - farm buildings	
BASE MAPPING	see also TOPOGRAPHIC MAPS	A handbook on maps and sources of maps in Ontario, prepared by the Research and Special Projects Branch of the Ministry of Municipal Affairs, is available from the Ontario Government Bookstore (\$5).
BEACHES AND SHORES	Public Lands Act (Natural Resources)	42 The Minister and any municipality may enter into agreements respecting the control and management by the municipality of any public lands comprised of beaches or lands covered with water.
	Beach Protection Act (Natural Resources) or Aggregate Resources Act, 1988	60 Public land that is a beach and is travelled upon is not by reason thereof a highway within the meaning of any Act. The Beach Protection Act prohibits the moving of any sand (earth, gravel, etc.) from a bed, beach bank, etc. of any lake, river or stream without a license issued by the Minister. Regulations under this Act do not apply to municipalities or individuals removing sand for their own use; however, individuals must obtain the written consent of the municipality. A new Act was given first reading on June 27, 1988. When in force, the Aggregate Resources Act repeals the Beach Protection Act.
	Municipal Act 208(31,33)	Council may preserve shores, harbours, bays, riverbanks, etc.
	Shoreline Property Assistance Act (Municipal Affairs)	A local council may obtain loans from the Treasurer of Ontario to assist landowners in the construction or repair of dykes or other works for protection against erosion. Building repairs necessitated by damage from flooding, erosion or ice formation are also eligible for loans. The loan repayment may be added to the owner's taxes. A 1986 amendment provides for loans to raise or relocate a building and extends the provisions of the Act to unorganized areas.
	see also NAVIGABLE WATERS; LAKES AND RIVERS	
BED AND BREAKFAST	see Planning Issue Info-Sheet 2, February, 1988, published by the Ministry of Municipal Affairs.	
Beds of Navigable Waters	see NAVIGABLE WATERS	
BEEES	Bees Act 19 (Agriculture and Food)	In a rural area, no person may locate a bee-hive closer than 9 metres to a highway, dwelling or cultivated field, unless they are separated by a 2 metre high solid fence extending at least 4.5 metres on each side of the hives. In an urban municipality or in a designated suburban district of a township, bee-hives must be at least 30 metres away from a lot line adjoining lands occupied by a dwelling, a community centre, a public park or other place of public assembly or recreation.
BICYCLE AND FOOT PATHS	Municipal Act	208(54) Council may establish and lay out bicycle paths. This can include land acquisition and is not restricted to using part of a highway. 309(5) Council may set aside a part of a highway as a bicycle or footpath. A relatively permanent arrangement is envisaged, with possibly a physical separation of the path from the motor traffic lanes. 315(10) Council may designate a bicycle lane on any road and prohibit its use by other vehicles. The designation may be for such period or periods as may be specified.
BILINGUAL DOCUMENTS	Municipal Act 104a	Municipal by-laws and resolutions may be passed in English only or in English and French. The same applies to an official plan.
Billboards	see SIGNS	
Blighted Areas	see URBAN RENEWAL	
Boarding house	see LODGING HOUSE	
BOATING REGULATIONS	Canada Shipping Act 635 (Transport-Federal)	Boating Restriction Regulations under this Act are administered by the Ontario Ministry of Natural Resources. Enforcement is usually carried out by the O.P.P. but the federal Minister may appoint any official of a federal, provincial, county or municipal government as a peace officer for the purpose of these regulations. Regulations may prohibit all vessels from certain waters, or prohibit power driven vessels, specify maximum speed limits, prohibit water skiing or provide for permits for regattas, marine parades and boat races.
	See also PROVINCIAL PARKS	

Subject

Reference

Description and Notes

Boats	see PUBLIC HEALTH -; WATER CANALS; MARINAS	
BODY RUB PARLOURS	Municipal Act 221	"Body-rub" and "body-rub parlour" are defined. Council may pass a by-law defining the areas in which body-rub parlours may operate and may regulate or prohibit advertising signs promoting body-rub parlours. An M.O.H., a public health inspector or a peace officer may enter a body-rub parlour at any time to enforce the by-law.
	see also ADULT ENTERTAINMENT; MASSAGE PARLOUR	
Bonus by-law	P.A. 36	
BOULEVARDS	Municipal Act 309(1, 2)	Council may set aside part of a highway as a boulevard and permit abutting owners to maintain it. (See also Local Improvements.)
BOUNDARIES	Boundaries Act (Consumer & Commercial Relations)	This Act provides for the confirmation of boundaries of parcels of land which may be in doubt or of the location of the boundaries of a public highway. The cost of the former may be area-rated.
	Territorial Division Act (Municipal Affairs)	1 The territorial division of Ontario into counties and districts and metropolitan and regional areas is described in this Act.
		9-13 The boundaries of townships lying on certain lakes and rivers are described.
		14 Where doubt exists regarding the township to which an island or other land belongs, a declaration may be sought under the Municipal Corporations Quietening Orders Act.
		15 The Lieutenant Governor in Council may establish new townships, alter the boundaries of territorial districts, alter township boundaries in areas where no letters patent have been issued, and annex any gore or tract of land not forming part of a township to any adjoining township.
- boundary road	Municipal Act 283	Where, on account of physical difficulties or obstructions, a boundary road deviates from a municipal boundary, it is nevertheless deemed to be the municipal boundary for the purposes of this Act.
	see also ANNEXATION	
Bowling Alley	see PLACE OF AMUSEMENT	
BRIDGES	Bridges Act (Transportation)	2(1) No bridge may be built, altered or replaced except with the approval of the Lieutenant Governor in Council.
		(2) Conditions for approval of the building, altering or replacement of a bridge require:
		(a) a petition requesting such approval
		(b) proof that the plans of the bridge have been deposited with both the Minister and the proper registry office, and
		(c) proof that notice of such application has been published in the Ontario Gazette and two newspapers having general circulation in the area of the proposed site.
		4 Regulations may be made regarding the building, alteration or replacement of a bridge.
	Municipal Act 254-295	Various provisions applying to bridges not under the control of the Crown.
	see also LOCAL IMPROVEMENT; HIGHWAY; NAVIGABLE WATER	
Buffer Strip	see LANDSCAPING	
BUILDING BY-LAWS	Municipal Act 210 (162-174) and 210a; Planning Statute Law Amendment Act, 1983	Most of the provisions relating to building by-laws in the pre-1983 Planning Act now appear in the Municipal Act. These provisions apply only to existing buildings and minor additions and to used mobile homes.
	see also BUILDING CODE	Arrangements may be made by an upper-tier municipality to provide building inspection services to lower-tier municipalities.
BUILDING CODE	Building Code Act (Housing)	This Act provides the authority for the establishment and enforcement of an Ontario Building Code to replace the building standards established by municipal by-laws. The Act is currently (i.e. in the Fall of 1988) under review.
		1. Definitions, including "building", "construct", and "demolition" etc.

Subject

Reference

Description and Notes

		<p>3. The council of each municipality is responsible for the enforcement of this Act unless it enters into an agreement for the provision of enforcement with or by another municipality, the county or the province.</p>
- building permit	see also MANDAMUS	<p>5. A permit, indicating compliance with the conditions and regulations of this Act, is required for the construction or demolition of a building. The municipality and the province may, within their respective jurisdictions, make regulations concerning such things as the amount of information required on permit applications, building permit fees, and the classes of permits required.</p>
		<p>6(4) Permits may be revoked: if issued on false information, if the construction is not seriously started within six months or if the construction or demolition is suspended for over a year.</p>
- occupation of new buildings	see also UNFINISHED BUILDINGS	<p>7. Occupation of any part of a new building is prohibited until notice of completion is given and inspection is made and outstanding orders have been complied with.</p>
- abandoned buildings		<p>10. An inspector may prohibit occupancy of an unsafe building until the remedial action he has ordered is taken. If the building is considered by the inspector to be dangerous to the safety of the public it may be repaired, renovated or demolished at the owner's expense.</p>
- Building Code Commission		<p>14. Any dispute with regard to the technical aspects of the building code or sufficiency of compliance may be settled before the Building Code Commission whose decision is final.</p>
		<p>15. Decisions of the inspector or chief official may be appealed in the district or county court.</p>
- Building Materials Evaluation Commission		<p>18. The Building Materials Evaluation Commission is established to examine new materials, innovative techniques and building designs and to authorize their use. It may be replaced by a similar federal body which is being established.</p>
- Ontario Building Code		<p>19. Regulations may be made for the purpose of establishing a building code in Ontario governing standards for the construction and demolition of buildings. The nature of these regulations is also described.</p>
		<p>The Ontario Building Code describes administrative and technical requirements of building design and construction. Certain parts of the Ontario Building Code are relevant to planning procedures. Illustrated guides have been published for Part 3, Part 9 and Section 3.7 of the Code.</p>
- illustrated guides		<p>Part 2 Administration</p>
		<p>- describes which parts of the Code govern different classifications of buildings; establishes criteria for professional design and describes procedural requirements during construction; waives requirement for obtaining a building permit in unorganized territory. (The Public Lands Act requires a building permit in any "restricted area"; see PUBLIC LANDS).</p>
- unorganized territory		<p>- a non-residential farm building is exempt from the requirement for a building permit if municipal council has not passed a by-law prescribing a class of permit for such buildings. All non-residential farm buildings must be built in accordance with the Canadian Farm Building Code, 1983 whether or not a permit is required.</p>
- farm buildings		<p>- Manufactured buildings must comply with the Code, except mobile homes of less than 4.3m in width.</p>
- manufactured buildings		<p>Part 3 Use and Occupancy (of large buildings)</p>
		<p>Buildings are classified according to their major occupancy.</p>
		<p>- Part 3 applies to "Assembly", "Institutional", "High Hazard Industrial" occupancies and all buildings exceeding 6000 sq. ft. in "building area" or 3 storeys in building height. Requirements for spatial separation may affect site planning. Section 3.7 requires certain buildings to be designed for barrier-free access.</p>
- barrier-free access		

B

Subject

Reference

Description and Notes

		Part 4 Design
		- governs structural design
		Part 5 Wind, Water and Vapour Protection
		Part 6 Building Services
		- Heating, Ventilating and Air-Conditioning (future addition)
- demolition		Part 8 Demolition
		Part 9 Housing and Small Buildings
- site planning		- In contrast with Part 3, neither design nor field review is required to be professional for these small buildings.
		Requirements for spatial separation between buildings may affect site planning.
- renovation		Part 11 Residential Renovation
		- A residential renovation Part was added to the Code in 1984. It is intended to extend Part 11 to include all existing buildings. An information booklet on Part 11 was published in 1985 and reissued in '88.
- enforcement		"The Enforcement of the Ontario Building Code Act" is a useful article by Nadia Koltum, former Deputy City Solicitor, City of North York, published in Municipal and Planning Law Reports, March, 1983.
	National Building Code	The National Building Code is used as a model for provincial and territorial codes. It is also used in CMHC mortgage policy.
BUILDING ENCROACHING ON HIGHWAY	Municipal Act 210(101)	Council may permit an inadvertent encroachment and charge an annual fee.
Building line for deferred highway widening	see SET-BACK	
Building Restoration, Rehabilitation	see HERITAGE CONSERVATION; HOUSING - O.H.R.P.	
Building Standards	see PUBLIC HEALTH -	
BUILT-UP AREA	Highway Traffic Act 1(1)	1 "Built-up area" means the territory contiguous to a highway not within a city, town, village or police village where,
		1. not less than 50 percent of the frontage upon one side of the highway for a distance of not less than 200 metres is occupied by dwellings, buildings used for business purposes, schools or churches, or
		11. not less than 50 percent of the frontage upon both sides of the highway for a distance of not less than 100 metres is occupied by dwellings, buildings used for business purposes, schools or churches, or
		111. not more than 200 metres of the highway separates any territory described in subparagraph 1 or 11 from any other territory described in subparagraph 1 or 11,
		and signs are displayed as required by the regulations.
	Drainage Act 1.3	The definition of a built-up area in the <u>Drainage Act</u> is almost the same as the above. However, there is no requirement that signs be displayed or that the area be contiguous to a highway and a fourth alternative is available:
		1v. a plan of subdivision has been registered.
BUSINESS IMPROVEMENT AREA	Municipal Act 217	Council may designate a Business Improvement Area and establish a Board of Management to improve, beautify and maintain municipally-owned lands, buildings and structures beyond what is provided at the expense of the municipality at large and to promote the area as a shopping area. Approval of the Ontario Municipal Board is required if there is an objection. The cost is charged to all businesses in the designated area.
	see also COMMUNITY IMPROVEMENT - PRIDE	
By-law record	see INDEX OF MUNICIPAL BY-LAWS	

Subject	Reference	Description and Notes
Cable T.V.	see TRANSMISSION POLES; WIRES	
Campgrounds	see TOURIST ESTABLISHMENT; TRAILER AND TOURIST CAMPS; PROVINCIAL PARKS	
Camps	see PUBLIC HEALTH -; HEALTH AND SOCIAL SERVICE INSTITU- TIONS - charitable institu- tion; PUBLIC LANDS - summer resort location	
Canada Mortgage and Housing Corporation (C.M.H.C.)	see HOUSING (National Housing Act)	
Canals	see WATER CANALS IN SUBDIVI- SIONS	
CANOPIES	Municipal Act 309(3)	Council may permit canopies to project over the sidewalk and may levy an annual fee.
CAPITAL LEVIES		Special capital levies are authorized in the Local Improve- ment Act, the Tile Drainage Act, the Drainage Act, the Telephone Act and the Police Act (see AREA RATE).
	see also IMPOSTS	
CAR WASH	Municipal Act 210(153)	Council may license, regulate and govern the owners or operators of car washes.
Car wreckers	see JUNK YARDS	
Caution on title	see DEED RESTRICTIONS	
CEMETERY	Cemeteries Act (Consumer & Commercial Relations)	1 Columbarium, crematorium, mausoleum and cemetery are defined. 5 No cemetery may be established or enlarged except with Ministry approval. 41 Establishment and enlargement may occur by expropriation. 58,59 Removal of bodies requires the assent of the Cabinet. 63 The closing of a cemetery requires an order of Cabinet.
Census Farm	see FARM	
CERTIFICATE OF COMPLIANCE		The Agricultural Code of Practice refers to a Certificate of Compliance which is issued following an evaluation of a livestock production unit, its manure system and quality of management. The certificate is issued jointly by the Ministries of the Environment and Agriculture and Food and it attests to a farmer's ability to control pollution.
	see also P.A. 31(21) re maintenance and occupancy	
Certificate of occupancy	P.A. 34(6)	
Certificate of Title	see QUIETING TITLE	
Checkerboarding	see PARTITION	
Charitable Institution	see HEALTH AND SOCIAL SERVICE INSTITUTIONS -	
Children's Residence		
Children's Mental Hospital		
Church	see Religious Institutions	
CITIZEN ADVISORY COMMITTEE	Ontario Planning and Development Act 3, 6(1)(c) (Municipal Affairs)	These committees consist of persons appointed by the Minister and are intended to advise the Minister with res- pect to the preparation and implementation of a "development plan". Two committees must be formed in each development planning area: one to represent the municipalities, and one to be broadly representative of the people of the area.
Citizen Participation	see PUBLIC PARTICIPATION	
CLOSING ORDER	see MOTOR VEHICLE ACCESS TO PROPERTY	
Columbarium	see CEMETERY	
COMMERCIAL MOTOR VEHICLE	Highway Traffic Act 1(1)5	"Commercial motor vehicle" means a motor vehicle having permanently attached thereto a truck or delivery body and includes ambulances, hearses, casket wagons, fire apparatus, police patrols, motor buses and tractors used for hauling purposes on the highways.
Committee of Adjustment	P.A. 43, 44	"Committees of Adjustment, Minor Variances and Non-Conforming Uses" (July, 1984), is Guideline 11 in a series of guidelines on the Planning Act published by the Ministry of Municipal Affairs.
Common road	see MOTOR VEHICLE ACCESS TO PROPERTY	

C

Subject

Reference

Description and Notes

COMMUNITY CENTRE

Community Recreation Centres Act (Tourism and Recreation)

1(1)e "Community Recreation Centre" means land or all or any part of a building or buildings or structures established in accordance with this Act that is maintained and operated for community recreation activity. (A community centre established under The Community Centres Act is deemed a Community Recreation Centre.)

- unorganized territory

2 Council may by by-law establish and operate community recreation centres and may grant them aid.

3 In unorganized territory a board with jurisdiction may establish and operate community recreation centres.

- joint use

4 Councils may enter into agreements for joint use of community recreation centres and may appoint a committee of management.

6,9 The Minister may make grants to municipalities and boards for community recreation centre purposes.

12 Cabinet may make regulations for community recreation centres.

see also RECREATION

COMMUNITY IMPROVEMENT

P.A. 28 - 30

The PRIDE Program is designed to assist Ontario municipalities in revitalizing older residential, commercial and industrial areas. It provides 50% grants for comprehensive community improvements, including:

- Capital costs of building, improving or replacing services and utilities such as streets, sewers, and water mains intended specifically to serve the project area.

- Capital costs of building, improving or replacing social and recreational facilities such as parks, community centres, libraries and day care centres.

- Aesthetic improvements such as streetscape upgrading, landscaping and buffers to reduce land use conflicts.

- Land and building acquisition, clearance and demolition for eligible PRIDE project components.

- Relocation costs including moving expenses and related compensation.

As a prerequisite for eligibility under PRIDE the municipality must have an Official Plan with approved policies related to community improvement and must have an adopted Maintenance and Occupancy Standards By-law.

An explanation of the process for the preparation of community improvement policies is contained in Guideline 4 of the Planning Act, entitled "Community Improvement".

- PRIDE

see also FINANCIAL ASSISTANCE TO COMMERCIAL OR INDUSTRIAL USES

National Housing Act
Part VIII.I

54.1 After March 31, 1980, C.M.H.C. may help a provincial or local government pay for community services. The agreement must be approved by the federal cabinet. Community services could include a wide variety of neighbourhood improvements, from sewer and water mains to social and recreational facilities and public non-profit housing. Funds are not currently being allocated pursuant to this section.

see also BUSINESS IMPROVEMENT AREA; URBAN RENEWAL

Community-sponsored housing

see HOUSING - non-profit or community sponsored housing

COMMUTER SERVICES

Commuter Services Act (Transportation)

This Act establishes the framework for the operation of commuter services by the provincial government and municipalities.

Compiled plan

see JUDGE'S PLAN; MUNICIPAL PLAN; REGISTRAR'S COMPILED PLAN

COMPOSITE PLAN

Land Titles Act 146 (Consumer and Commercial Relations)

Similar to a Judge's Plan but applies to crown land. Application is made by the Minister of Natural Resources to the Director of Land Registration. The provisions of the Planning Act with respect to approval of plans of subdivision are not applicable to composite plans.

COMPOSITE TOWNSHIP

A township municipality composed of more than one geographic township, or composed of a geographic township and an area such as a mining location or a large island or improvement district.

Subject	Reference	Description and Notes
CONDOMINIUM	National Housing Act (C.M.H.C.)	2 "condominium unit" means a bounded space in a building designated or described as a separate unit on a registered condominium or strata lot plan or description or similar plan or description registered pursuant to the laws of a province and intended for human habitation, and includes any interest in land appertaining to ownership of the unit. ("Strata plan" is a synonym for "condominium plan" in common usage in British Columbia.)
- strata plan	Condominium Act (Consumer & Commercial Relations)	49 The owner of a rented unit is still responsible for common expense fees, but the Corporation may require a tenant to pay any such fees in default and deduct the amount from the rent. 50 This Section relates a condominium application to the subdivision control provisions of the Planning Act. Details regarding procedures for condominium development are governed by regulations pursuant to Section 59 of the Act.
- approval procedures		Subdivision/Condominium Approval Procedures: A Guide for Applicants - published in September, 1986 - available from the Ontario Government Bookstore.
- assessment	Assessment Act 65 (Revenue)	The assessment of condominium and cooperative units is to be based on the same criteria as owner-occupied single family residences in the same vicinity. Rental premises converted to condominium ownership will be assessed at the level of assessment of similar rental properties, as long as the units continue to be rented.
- maintenance agreements	Municipal Act 210(62)	Council may enter into agreements with condominium corporations for road maintenance, snow clearing, sewer and water pipe maintenance, etc. on the condominium property.
- easements	Condominium Act (Consumer & Commercial Relations)	8(1) Easements are relevant for single units in allowing for servicing, repairing damage and the support of common elements. 8(2) Easements are relevant for commons for servicing and for providing support.
CONFLICT OF INTEREST	Land Titles Act, Registry Act (Consumer & Commercial Relations)	41,43a, 24a These provisions clarify the status of easements affecting or benefitting common elements, and their status in phased condominium development.
	Municipal Conflict of Interest Act (Municipal Affairs)	The failure of a member of council or of a local board to disclose a pecuniary interest, whether direct or indirect, in any matter that comes before a meeting of the council or local board, including a committee or other meeting, will render the member liable, on the application of an elector to a county or district court judge, to having his seat declared vacant and being disqualified from being a member of any council or local board for a period of up seven years and to make restitution.
Connecting link	see HIGHWAY -	
CONSENT	P.A. 49(1), 52, 53	Land Severance: planning guidelines for land division committees, committees of adjustment and delegated planning boards. Prepared by the Ministry of Municipal Affairs and Housing and available from the Ontario Government Bookstore.
Conservation (Cultural)	see HERITAGE CONSERVATION	
Conservation (Energy)	see ENERGY CONSERVATION	
Conservation (Housing)	see HOUSING - neighbourhood improvement	
CONSERVATION (NATURAL ENVIRONMENT)	Conservation Authorities Act (Natural Resources)	2,3 A Conservation Authority may be established by Cabinet upon request of municipalities in a watershed. Where a Region exists, it is the sole participating municipality for its area. 21 The powers and objectives of an Authority are described. They include an involvement in the management of all natural resources other than gas, oil, coal and minerals. Specifically: dams, reservoirs, parks and recreation and tree planting are mentioned.
- hazard land		28 Subject to Cabinet approval, an Authority may regulate: the use of water from rivers and lakes, interference with a watercourse, the location of irrigation ponds, the erection of structures in the "regional storm" flood plain, and the dumping of fill. The Regulation adopted by each authority is entitled "Fill, Construction and Alteration to Waterways Regulation". Appeals are heard by the Mining and Land's Commissioner, who is assigned the powers given to the Minister under subsection 28(5).
- dumping of fill	O.Reg 364/82	
- Mining and Lands Commissioner	see also NAVIGABLE WATERS	

- 32 If a project affects Crown Land, a public work, a Hydro project or a road, a plan must be filed and approval obtained from the appropriate Minister.

The Minister of Natural Resources may, with Cabinet approval, establish programs to encourage conservation and may fund those programs. The Conservation Land Tax Reduction Program, established under this Act, allows a 100% tax rebate on taxes paid since January, 1987 to owners of identified conservation lands. These include classes 1, 2 and 3 wetlands, provincially significant ANSI's (Areas of Natural and Scientific Interest), the Niagara Escarpment Planning Area, non-revenue producing Conservation Authority lands and other conservation lands owned by non-profit organizations.

- financial incentives Conservation Land Act, 1988
(Natural Resources)

see also: BEACHES AND SHORES;
AGRICULTURAL REHABILITATION;
DRAINAGE; HAZARD LAND

Conservation Review Board see HERITAGE CONSERVATION

Consolidated hearings see HEARINGS

Contaminant see POLLUTION

Contracts see AGREEMENTS; MONEY BY-LAWS

Controlled access highway see HIGHWAY -

Controlled access road see HIGHWAY -

CONTROL ORDER Environmental Protection Act
113-119

CONVEYANCE Conveyancing and Law of Prop-
erty Act 1(a) (Attorney
General)

Land Transfer Tax Act
(Revenue)

see also P.A. 49 as amended by
the Land Registration Reform
Act, 1984

Co-operative housing see HOUSING -; CONDOMINIUM -
assessment

Costs see MUNICIPAL BOARD

COTTAGE

see also PUBLIC LANDS - summer
resort location

The Ministry may issue control or stop orders to reduce or stop pollution of the natural environment.

"Conveyance" includes an assignment, appointment, lease, settlement, and other assurance, made by deed, on a sale, mortgage, demise, or settlement of any property or on any other dealing with or for any property and "convey" has a meaning corresponding with that of conveyance.

- 1(1)c "conveyance" includes any instrument or writing by which land is conveyed and includes a final order or foreclosure under any mortgage or charge affecting land and a notice or caution in writing signifying the existence of any instrument or writing by which land is conveyed.

Section 9.37 of the Ontario Building Code includes some standards for cottages which are lower than the normal residential standards.

A chronological compendium of decisions on cottage or seasonal zoning by-laws is contained in the August 1981 issue of Municipal World.

COUNTY Municipal Act 1 and 7
P.A. 1(g)

see also HIGHWAY
- county road, - zoning,
- gas pumps, signs
- suburban road

The Municipal Act and the Planning Act differentiate between a "local municipality", which excludes a county, and a "municipality", which is defined as "a locality the inhabitants of which are incorporated" (Municipal Act) or "a local municipality, a county and a regional, metropolitan or district municipality" (Planning Act).

County road see HIGHWAY -

COVENANT Conveyancing and Law of
Property Act 61 (Attorney
General)

A covenant or condition running with the land may be modified or discharged by order of a judge of the Supreme Court or of a judge of the county or district court. This does not apply to any building restriction imposed by a by-law under the Municipal Act or the Planning Act.

see also DEED RESTRICTIONS

Crematorium see CEMETERY

Crown land see PUBLIC LANDS

Culverts see HIGHWAY -; DRAINAGE

Subject

Reference

Description and Notes

DAMS	City of Orillia Act see also LAKES AND RIVERS; CONSERVATION; DRAINAGE; PUBLIC LANDS -	A Private Bill was passed in 1980 to authorize the City to build and develop dams for the generation of electrical power in the townships of Georgian Bay and Muskoka Lakes.
DANGEROUS MANUFACTURES	Municipal Act 210(34)	Council may prohibit or regulate the carrying on of trades that may be a fire hazard.
Day Nursery	see HEALTH AND SOCIAL SERVICE INSTITUTIONS -	
Dead Animals	see RENDERING PLANT; AGRICUL- TURAL POLLUTION	
DEBENTURES	Municipal Act 142-157 see also MUNICIPAL BOARD	Under the heading "Money By-laws" the Municipal Act deals with debentures, municipal debt and contracts for the supply of public utilities.
DEED RESTRICTIONS	Land Titles Act (Consumer & Commercial Relations)	117 A land owner may apply to the Land Registrar to have conditions or restrictions entered on the register (i.e. on title) which bind subsequent owners not to do certain things without authorization from named persons. 118 Covenants, conditions and restrictions may be contained in a transfer (i.e. deed) or may be registered pursuant to an application. To be registrable, such covenants, conditions and restrictions must run with or be capable of being legally annexed to land. 124-136 A caution on title has the effect that no dealing with the land may occur without the consent of the cautioner. A registered caution expires automatically in five years unless renewed. The owner of land affected by a caution may apply to the Land Registrar to have the caution removed at any time.
DEEMING A REGISTERED PLAN	P.A. 49(4)	A booklet entitled "Subdivision Control in Registered Plans: Deeming and Part-Lot Control" was published by the Ministry of Municipal Affairs in May, 1981 but is now out of print.
Deferred highway widening	see SET-BACK	
Delegation of Minister's Power	P.A. 4	Guideline 3 under the 1983 Planning Act is entitled "Delegation of Minister's Authority".
DEMOLITION CONTROL	Building Code Act 1(f) (Housing) Ontario Building Code: 2.5.1.4 to 2.5.1.7 and Part 8 P.A. 33 Ontario Heritage Act (Culture and Communications) City of Toronto Act, 1984	"demolition" means the doing of anything in the removal of a building or any material part thereof. Section 33 of the Planning Act gives municipal councils the authority to decide whether a residential building in a defined area may be demolished. If council agrees, then the Building Code governs how the building should be demolished. Demolition of historically significant buildings can be controlled by designation under Part IV of the Ontario Heritage Act. In Toronto, the council may delay demolition of a residential building of 6 or more units for up to 365 days.
Derelict motor vehicles	see ABANDONED MOTOR VEHICLES	
Design control	see Development control	
Developers' agreements	see IMPOSTS; AGREEMENTS	
Development control	see NIAGARA ESCARPMENT -; Site Plan Control: P.A. 40	
DEVELOPMENT PLAN	Ontario Planning and Development Act, 1973 (Municipal Affairs)	2. "Development plan" means a plan, policy and program, or any part thereof, approved by the Lieutenant Governor in Council, covering a development planning area or a portion thereof, as defined therein, designed to promote the optimum economic, social, environmental and physical condition of the area, and consisting of the texts and maps describing the program and policy. Sections 5 to 17 of the Act contain provisions relating to the preparation and implementation of a development plan. The Parkway Belt West Plan is the first plan to be prepared as a development plan.
Development road	see HIGHWAY -	
Discrimination	see HUMAN RIGHTS IN ACCOMMODATION	
Distilleries	see INDUSTRIAL NUISANCES	
Domestic animals	see ANIMALS	

Subject

Reference

Description and Notes

Downtown revitalization	P.A. 28-30 see also BUSINESS IMPROVEMENT AREA	
DRAINAGE	Drainage Act (Agriculture and Food)	The Act contains various provisions permitting individuals and municipalities to initiate and maintain drainage works.
		1(11) "drainage works" includes a drain constructed by any means including improving a natural watercourse, and includes works necessary to regulate the water table or water level within or on any lands or to regulate the level of the waters of a drain reservoir, lake or pond, and includes a dam, embankment, wall, protective works or any combination thereof.
		2-10 These sections describe procedures and requirements needed to construct mutual agreement, requisition, and petition drains.
		11-20 An engineer's report is required to determine the scope and nature of any drainage project to be undertaken.
- cost and benefit assessment		21-46 The assessment of the costs and benefits of the drainage works are estimated for the affected properties.
- appeals		47-59 Appeals regarding the technical aspects of drainage proposals may be taken to the Ontario Drainage Tribunal. Legal questions may be appealed to the referee.
- area levy		60-61 A council raising money to pay for drainage works must impose a special levy upon the land assessed for the works.
		83(1) Except as authorized by an M.O.E. approved by-law, no person may discharge into a drainage works any substance other than unpolluted drainage water.
		85-90 Provincial grants to aid in the construction of drainage works range from 33 1/3% in counties to 80% in unorganized territories.
		A Ministry of Agriculture and Food Fact Sheet, dated March 1986, is entitled "Drainage Legislation".
- expropriation	Expropriations Act 2(3) (Attorney General)	The Expropriations Act does not apply to land used under the authority of the Drainage Act.
- urban drainage	Municipal Act 210(74, 79 and 82) and 208 (13 to 17)	Council may require and regulate private drains; and may construct service drains from a sewer to the line of the highway. Council may construct drainage and sewerage systems and flood control works.
		Section 9.14 of the Ontario Building Code applies to surface and subsurface drainage.
		The Ministries of Natural Resources, the Environment and Municipal Affairs have collaborated in the preparation of an "Urban Drainage Management Program" which provides information of value to municipalities and developers. Urban Drainage Guidelines were published by the Ministry of Natural Resources in 1987.
- agricultural drainage	Tile Drainage Act (Agriculture and Food)	This Act provides for loans to farmers from municipalities to construct tile drains. Loans are repaid by a rate levied on the property and financed in the interim by municipal debentures sold to the Treasurer of Ontario. Loans must be repaid in full, plus interest, if the land is taken out of agricultural use before the loan is repaid. Where a council refuses an application or reduces the amount applied for, the applicant may appeal the decision to the Ontario Drainage Tribunal.
DUMPING OF FILL	City of Windsor Act, 1980	A Private Bill was passed in 1980 to authorize the City of Windsor to prohibit or regulate the dumping of fill in any area or areas of the City. Mississauga and North York have since obtained similar legislation, applicable to areas not subject to regulations under section 28(1)(f) of the Conservation Authorities Act.
	see also CONSERVATION; PUBLIC LANDS -; NAVIGABLE WATERS	
Dumps	see WASTE DISPOSAL; LANDFILL	
Dwelling Unit	P.A. 33; see also HOUSING - family housing unit	

Subject	Reference	Description and Notes
EARLY CLOSING BY-LAWS	Municipal Act 211-214 see also HOLIDAY CLOSINGS FOR RETAIL BUSINESS	Council may regulate the closing hours of shops, gas stations and hotels. "Shop" is defined.
EASEMENTS - conveying land	Conveyancing and Law of Property Act 15 Limitations Act 31 (Attorney General)	Easements are included in the conveying of property. No easement in respect of wires or cables attached to property or buildings or passing through or over such property may be acquired except from the owner.
- heritage	see HERITAGE CONSERVATION see also CONDOMINIUM	
Ecology	see ENVIRONMENTAL ASSESSMENT; WASTE MANAGEMENT	
ELDERLY PERSONS CENTRE	Elderly Persons Centres Act (Community and Social Services)	3 Council may, with the Minister's approval, establish and subsidize social and recreational centres for elderly persons. 4 Cabinet may make grants toward the establishment and maintenance of such centres, and may make regulations governing them.
Elderly persons housing	see HEALTH AND SOCIAL SERVICE INSTITUTIONS - home for the aged	
ENCUMBRANCE	Condominium Act 1(o) (Consumer & Commercial Relations) Land Titles Act (Consumer & Commercial Relations)	"Encumbrance" means a claim that secures the payment of money or the performance of any other obligation, and includes a charge under the Land Titles Act, a mortgage and a lien. Zoning and subdivision control do not, of themselves, constitute an encumbrance on title within the meaning of the Land Titles Act.
ENERGY CONSERVATION - energy conservation area - energy use statement - energy conservation program - sun shadow guide	City of Ottawa Act, 1980 Power Corporation Act (Energy)	A Private Bill was passed to enable the City to designate any area covered by an official plan as an energy conservation area. Development in such an area must be preceded by an approved energy use statement, unless that class of development has been exempted. The Corporation is authorized to provide information, advice and inspection services in respect of the use of all forms of energy. A 1982 publication of the Ministry of Energy entitled "Sun Shadow Guide" is available from the Ontario Government Bookstore for \$4. It is a tool to determine the shadow effects of buildings in planning for energy efficiency.
ENFORCEMENT OF BY-LAWS - fines - action to restrain contravention of by-law	Municipal Act 325 Municipal Act 321 Municipal Act 326, 327 Provincial Offences Act, 1979 (Attorney General) Interpretation Act 27(b) (Attorney General)	Where council has authority to require that something be done and the person required to do it fails to fulfill that obligation, council may do it at his expense and charge the cost to him on his tax bill. (Reference to this clause must be made in the enabling legislation relating to the specific authority). Council may impose fines of up to \$2,000 for any municipal by-law infraction. In addition to any other remedies, a by-law contravention may be restrained by a ratepayer, the corporation, or a local board. A court may make an order prohibiting the continuation or repetition of an offence. Part III provides for the laying of information before a Justice of the Peace and for a hearing in a Provincial court. "By-law Enforcement - An Administrative View" is a bulletin published by the Municipal Management Practices Branch, Ministry of Municipal Affairs. "In every Act, unless the contrary intention appears, where power is given to a person, officer or functionary to do or to enforce the doing of an act or thing, all such powers shall be understood to be also given as are necessary to enable the person, officer or functionary to do or enforce the doing of the act or thing".

Subject

Reference

Description and Notes

ENTRY ON PRIVATE PROPERTY

see also HYDRO-ELECTRIC POWER
-; PUBLIC WORKS; WEED CONTROL;
AUTOMOBILE WRECKING YARD;
SPILL; TRESPASS AND OWNER'S
LIABILITY; BUILDING CODE
ENFORCEMENT

Some acts include specific reference to the authority to enter on private property. For instance, Section 31 of the Planning Act re: maintenance and occupancy or paragraph 39 of Section 210 of the Municipal Act re: fire matters. Other areas of legislation include no such reference and the courts would be required to determine if entry were legally permissible.

ENVIRONMENTAL APPEAL BOARD

Environmental Protection Act
(Environment) Part XI

This Board hears appeals from applicants who have been refused approval or refused a licence or permit by a Director under the Environmental Protection Act, Ontario Water Resources Act or Pesticides Act.

Ontario Water Resources Act
63, 64 (Environment)

Procedures for appeals to the E.A.B.

ENVIRONMENTAL ASSESSMENT

Environmental Assessment Act
(Environment)

This Act provides for the assessment of the effects on the environment of public and private projects. "Environment" is defined to mean the human as well as the natural environment of Ontario. It includes natural, social, economic and cultural factors and their interrelationships.

"Environmental assessment" is the identification, interpretation and evaluation of the effects of an undertaking and its alternatives on the environment.

1(0) An "undertaking" is defined as an enterprise or activity of the Ontario government, a municipality or defined public bodies or, if designated by regulation, a major commercial or business or enterprise or activity.

5-6 No undertaking to which the Act applies may proceed unless the Minister has accepted the environmental assessment and approved the undertaking. The required content of an environment assessment is described in Section 5 of the Act. It is illegal to issue approvals, licences, etc. or make grants or loans or give guarantees for undertakings which require approval under the EA Act until the approval under the EA Act has first been issued.

7 A review of an environmental assessment is prepared and released by the Minister of the Environment to the public. A minimum period of 30 days is allowed for public review.

9-11 If the Minister considers that the submitted environmental assessment is satisfactory to enable a decision regarding approval to be made, he will accept the environmental assessment. If, however, he considers it to be unsatisfactory, he may amend and accept the assessment or order further research after he has notified the proponent and certain other interested parties of this intention and after receiving further submissions from them.

- hearings

7, 12
13, 14

An environmental assessment may be referred to the Environmental Assessment Board on receipt of a requirement for a hearing during the 30-day period following the Minister's giving notice that the review has been completed, or within 15 days of giving notice of proposal to amend. In such cases, the Board decides both on acceptance of the environmental assessment, and approval of the undertaking with or without conditions.

Where the Minister has accepted an environmental assessment, the Minister may approve the undertaking with or without conditions or refuse it, or on receipt of a requirement for a hearing within 15 days of the notice of acceptance, it may be referred to the Board for a hearing and a decision on approval.

24 The Minister may designate provincial officers to make or require such tests or inquiries as are necessary to ensure the enforcement of the Act.

- exemptions

29 The Minister may, with Cabinet approval, exempt any undertaking from the application of the Act, where he is of the opinion that such exemption is in the public interest. Exemptions are normally granted on the judgement that the undertaking will have insignificant environmental effects.

- regulations

40 Regulations may be made under this section: defining as major any commercial or business enterprise or activity; designating any such enterprise as an undertaking to which the Act applies; defining a body as a public body; exempting persons or undertakings from the Act or regulations.

Subject

Reference

Description and Notes

Ont. Regulation 205/87

The regulation exempts many provincial and municipal projects from the Act. Provincial projects which still require environmental assessment include: new provincial highways, sewage and water treatment plants, master plans for provincial parks, major provincial building complexes, Ontario Hydro electrical generating stations and transmission lines, waste disposal sites.

Provisions of the regulation also exempt certain activities of Conservation Authorities and the municipal sector. Both these sectors are subject to phased implementation under the regulation and were completely exempt until 1977 and 1980 respectively. Private sector undertakings are subject only if specifically designated.

Information on the Environmental Assessment Act, designations, exemptions and guidelines appears twice yearly in E.A. Update, a periodical digest which may be obtained without cost by writing to E.A. Update, Environmental Assessment Branch, Ministry of the Environment, 250 Davisville Avenue, Toronto, Ontario, M4S 1H2. A Citizen's Guide to Environmental Assessment, A Proponent's Guide to Environmental Assessment, The Role of the Review and the Review Participants in the EA Process, and Guidelines on Pre-Submission Consultation are available from the same source.

This committee is appointed by the Minister to provide him with independent advice both on requests for exemptions from the Environmental Assessment Act and on requests for the designation of undertakings under the same legislation.

ENVIRONMENTAL ASSESSMENT
ADVISORY COMMITTEEENVIRONMENTAL ASSESSMENT
BOARDEnvironmental Assessment Act
(Environment) Part III

see also HEARINGS

This Board makes decisions under the Environmental Assessment Act (when referred to for a hearing by the Minister), and under the Environmental Protection Act and the Ontario Water Resources Act, with respect to certain waste disposal matters and sewage works. Any decision of the Board under the Environmental Assessment Act can be altered, or a new hearing ordered, by the Minister with Cabinet approval. The hearings of the Board under the Ontario Water Resources Act and the Environmental Protection Act are governed by Sections 6 and 33 of the respective Acts.

ENVIRONMENTAL COMPATIBILITY

P.A. 3

A draft provincial policy statement has been prepared and, in 1988, was being circulated for public discussion. Implementation guidelines are part of the package.

ENVIRONMENTAL CONDITIONS

A set of guidelines for registering environmental conditions has been prepared by the Ministry of the Environment. It is designed to assist developers of subdivisions and condominiums and applicants for severances in fulfilling conditions of approval recommended by the ministry.

Environmental Protection Act

see SEWERAGE; WASTE MANAGE-
MENT; SPILL; LITTER; CONTROL
ORDER

The Canadian Environmental Protection Act, introduced in 1988, permits the regulation of substances that are threatening or may threaten the environment or human life or health. It provides for the establishment of environmental quality monitoring stations, the publication of data, research, etc., the formulation of guidelines, codes of practice, etc. Regulations may be introduced applicable to the works, undertakings and lands of federal departments and agencies and Crown corporations. The Act replaces the Clean Air Act, the Environmental Contaminants Act and Part II of the Canada Water Act and it also introduces new material not covered in those Acts.

EROSION CONTROL

"Guidelines on Erosion Control for Urban Construction Sites" was produced co-operatively in 1987 by several provincial ministries, conservation authorities, the Municipal Engineers' Association and U.D.I.

see also HAZARD LAND; BEACHES
AND SHORES; DRAINAGE,
CONSERVATION

Escarpment

see NIAGARA ESCARPMENT

ESTHETICS

see Aesthetics

Exemptions from taxation -
areas or property

see ASSESSMENT

E

Subject

Reference

Description and Notes

EXPLOSIVES	Municipal Act 210(8-17)	Council may regulate the storage of inflammable or explosive substances and may prohibit the manufacture of such substances.
	see also DANGEROUS MANUFACTURES	
Expressway	see HIGHWAY -	
EXPROPRIATION	Municipal Act	5 Unless otherwise expressly stated, when in any Act a municipality is given the power to acquire land, it includes the power to expropriate.
		192-195 Council may pass by-laws to expropriate land. If the land is in another municipality, O.M.B. approval is required.
	Expropriations Act (Attorney General)	Various provisions. Notice of application to expropriate must be served on the owner, who may request a hearing. The approving authority is either a council, a school board or a Minister.
		9 Where appropriate, land may be expropriated for a limited period.
		13 Compensation is based on market value plus any disturbance considerations, including disturbance to a tenant, and injurious affection.
- relocation costs		18(1) The expropriating authority must pay to an owner such reasonable costs as are the natural and reasonable consequences of the expropriation, including moving costs, legal and survey costs incurred in acquiring other premises, compensation for inconvenience and an allowance for improvements not reflected in market value. Tenants may also be eligible for compensation for disturbance and the loss of a lease.
- Land Compensation Board		26,28 A Land Compensation Board may determine the compensation to be paid if the parties cannot agree. Appeal lies to the Court of Appeal. Since 1983, all functions of the Land Compensation Board have been transferred to the Ontario Municipal Board.
		31 When a landowner agrees to the acquisition of his land by a statutory body his compensation may be determined by arbitration at the O.M.B.
- expropriation plan	Registry Act (Consumer and Commercial Relations)	O/Reg. 898, sections 36 to 44, applies to expropriation plans.
- public works	Ministry of Government Services Act	The Minister may expropriate land on behalf of other ministries or government agencies.
	Expropriation Act (Federal: Public Works)	The federal government may expropriate land that is required by the Crown for any public purpose. Some expropriations are governed by the Railway Act. Provision is included for notice, public hearings, compensation, negotiation, etc.
	see also HOUSING -; DRAINAGE -	
Extension or enlargement of non-conforming use	P.A. 44(2)(a)(1)	

Subject	Reference	Description and Notes
Family housing unit	see HOUSING -	
Farm	see AGRICULTURAL HOLDING; HOUSING	
Farm buildings	see BUILDING CODE	
FEES FOR INFORMATION	City of Cornwall Act, 1986	The Corporation may charge fees for any written information furnished by the City relating to any land, building or structure.
FENCES	Municipal Act 210(18-23), (32) and (31)	Council may prescribe the height and description of lawful fences and may prohibit wooden fences and require vacant lots to be enclosed. S.23 refers in more detail to fences around private swimming pools. Bill 192, given first reading on November 28, 1988, is designed to permit different fence standards in different parts of the municipality.
	Snow Roads and Fences Act (10-12) (Municipal Affairs)	Council may pass by-laws requiring owners of land bordering a public highway to remove any fence that causes an accumulation of snow on any property adjoining a highway.
	Line Fences Act (Municipal Affairs)	Provision is made for the construction of boundary fences between adjoining lands and for arbitration by fence-viewers in case of dispute. If necessary, fence-viewers may prescribe the character of a fence to suit the circumstances and may specify how the cost is to be distributed between adjoining property-owners. Appeals from local awards are heard by a provincially appointed referee.
	see also ABANDONED RAILWAY LINES	
	Public Transportation and Highway Improvement Act 30(8)	The Ministry may enter on any property adjoining a highway to erect snow fences. It also has control over private fences adjoining a highway (see HIGHWAY).
	Limitations Act 4 (Attorney General)	In order to recover land upon which a neighbour's fence encroaches, action must be taken within 10 years.
	see also OBSTRUCTION OF VIEW; P.A. 40(7)(a)6; PARKING GARAGES	
		"Fences and the Law" by Michael J. Smither was published by Municipal World Inc. in 1988. The February 1986 issue of Municipal World includes summaries of 5 legal decisions dealing with fences.
FERRIES	Public Transportation and Highway Improvement Act 100	The Minister may operate a ferry service and may subsidize a municipality to operate a ferry.
	Ferries Act (Transportation)	1 The Lieutenant Governor may license a ferry under the Great Seal for a term of up to seven years at a time. 5 A township, town or village council may establish, operate, license and regulate ferries, with the approval of the Lieutenant Governor in council. A county council has similar power for an operation between different municipalities.
Fill	see CONSERVATION (NATURAL ENVIRONMENT); LANDFILL; WASTE MANAGEMENT; NAVIGABLE WATER	
FINANCIAL ASSISTANCE TO MUNICIPALITIES, BOARDS AND COMMISSIONS		A book published by the Subsidies Branch of the Ministry of Municipal Affairs and available from the Ontario Government Bookstore gives a comprehensive overview of financial assistance available from all provincial ministries and agencies.
FINANCIAL ASSISTANCE TO COMMERCIAL OR INDUSTRIAL USES	Municipal Act 112 see also COMMUNITY IMPROVEMENT	Municipalities are prohibited from paying bonuses to industrial or commercial enterprises, except those authorized under section 28(6) or (7) of the Planning Act. M.A. 112a provides for a counselling service to small businesses.
Fines	P.A. 66; see also ENFORCEMENT OF BY-LAWS	
FIRE MATTERS	Fire Marshals Act (Solicitor General)	The Fire Code, enacted in 1981 as a regulation pursuant to this Act, consolidates regulations from some 63 separate Acts. It includes a minimum width (20 feet or six metres) and other standards for access routes for fire department vehicles. It supersedes municipal by-laws and is designed to provide a minimum level of life safety in existing buildings.
- access routes		
- Building Code	Building Code Act O/Reg 583/83 Sec. 3.2.5	Fire safety in new construction is governed by the Building Code. It includes references to the location and width of access routes. When construction is completed, the Fire Code deals with ongoing operations and activities in the building.

Subject

Reference

Description and Notes

	Municipal Act 210(24-45)	Council may prohibit or regulate various matters for fire safety, including prohibiting wooden buildings or fences and requiring buildings and yards to be put in a safe condition.
	Fire Department Act (Solicitor General)	1-10 Various provisions relating to full-time fire fighters in municipalities of more than 10,000 people.
	see also DANGEROUS MANUFACTURES	11 This Act prevails over municipal by-laws.
Fixed assessment	see PARKWAY BELT; NIAGARA ESCARPMENT	
FLEA MARKET	City of Hamilton Act, 1987	Private legislation provides for licensing, regulating and inspecting flea markets and stands in flea markets.
Flood control	see CONSERVATION (NATURAL ENVIRONMENT); DRAINAGE	
Flood lighting	P.A. 40(7)(a)(5)	
FLOODPLAIN	P.A. 34(1)3; P.A. 3	A provincial policy statement on floodplains has been prepared jointly by Municipal Affairs and Natural Resources. Announced in August, 1988, it supersedes the 1982 Flood Plain Criteria. Contact: 585-6233.
- policy statement	see also CONSERVATION (NATURAL ENVIRONMENT)	
Food Land Guidelines	see AGRICULTURAL LAND	
Footpaths	see BICYCLE AND FOOTPATHS	
FOREIGN LAND SALES	Real Estate and Business Brokers Act (Consumer & Commercial Relations)	37 In this Act, "subdivision" means improved or unimproved land divided or proposed to be divided into five or more lots or other units for the purpose of sale or lease and includes land divided or proposed to be divided into condominium units.
- subdivisions		38 No subdivision lot outside Ontario may be sold in Ontario until a prospectus has been filed with the Registrar of Real Estate and Business Brokers.
- prospectus		39 No sale or lease of an out-of-province subdivision lot may be concluded unless the purchaser has signed an acknowledgement that he has read the prospectus approved by the Registrar. Rescission of the contract may be demanded by the purchaser within 90 days, if the vendor has not obtained such an acknowledgement.
		40 A prospectus application must include financial particulars of the owners. The prescribed form of prospectus requires the provision of information on hard and soft services available as well as the physical characteristics of the land.
Foreign Ownership	see AGRICULTURAL LAND -	
Forests	see WILDERNESS; WOODLANDS; TREES	
Forest road	see HIGHWAY -	
Freeway	see HIGHWAY -; NOISE	
FUNERAL SERVICES ESTABLISHMENT	Funeral Services Act (Health)	1(e) "Funeral Services Establishment" means a premises established or maintained for the purpose of providing funeral services or funeral supplies to the public.
		33(1)(r) Subject to cabinet approval and the Minister's prior review, the Board of Funeral Services may make regulations governing the construction, location, maintenance, etc. of funeral services establishments.
FUR FARMS	Fur Farms Act (Agriculture and Food)	1(c) "Fur farm" means premises where fur bearing animals are kept in captivity for propagation or the production of pelts for commercial purposes.
		3 All fur farms must be licensed and are governed by regulations.

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GARAGE	Municipal Act 210	139 Council may regulate the location of garages, stables, barns, outhouses and manure pits.
		149 The power to regulate public garages does not include provisions touching the amenities of the premises. A court case published in Municipal World of May, 1981, illustrates this point. (Texaco Canada Limited v The Corporation of the City of Vanier, Supreme Court of Canada)
		152 Council may limit the number of service stations and public garages.
	Highway Traffic Act 1(1)12	"garage" means every place or premises where motor vehicles are received for housing, storage or repairs for compensation.
	Ontario Building Code	Section 9.36 applies to garages and carports serving a single dwelling unit.
	see also SERVICE STATION; AUTOMOBILE WRECKING YARD	
Garbage	see WASTE MANAGEMENT	
Garbage incinerator	see INCINERATOR	
Garbage Storage	P.A. 40(7)(a)(7)	
GASOLINE PUMP - private	Gasoline Handling Act 1(a) (Consumer & Commercial Relations)	"Private outlet" means any premises at which gasoline or an associated product of the operator of the outlet is put into the fuel tanks of motor vehicles used by the operator of the outlet or into portable containers used by the operator of the outlet.
	see also HIGHWAY - King's - gas pumps; OBSTRUCTION OF VIEW	A 1988 amendment introduced a means to ascertain the number and location of underground tanks on private outlets used to store gasoline or related products.
Gasoline Station	see SERVICE STATION	
Gasoline storage	see EXPLOSIVES	
Gas works	see INDUSTRIAL NUISANCES	
GEOGRAPHIC NAMES	Ontario Geographic Names Board Act (Natural Resources)	The Ontario Geographic Names Board is the statutory authority responsible for the control of names given to geographic features and unincorporated places. The board exercises authority over all place names not governed by other statutes.
Geographical referencing	see ONTARIO CO-ORDINATE SYSTEM	
Go-karts	see MOTOR VEHICLE RACING; AMUSEMENTS	
Golf course	see ASSESSMENT -	
Grade separation	see RAILWAY GRADE SEPARATION	
Grading	P.A. 40(7)(a)9, 58	
Grants	see FINANCIAL ASSISTANCE TO MUNICIPALITIES, BOARDS AND COMMISSIONS; MUNICIPAL GRANTS	
Gravel pit	see MINERAL AGGREGATES	
GROUP HOME	Municipal Act 236	Council may pass a by-law requiring the registration of group homes; and enforce a policy of separation between them, provided there is a zoning by-law in effect permitting group homes.
		The following definition is recommended for use in planning documents. It appears in the "Group Homes Resource Manual", available from the Ontario Government Bookstore. (\$5.)
	see also HEALTH AND SOCIAL SERVICE INSTITUTIONS - children's residence	"A group home is defined as a single housekeeping unit in a residential dwelling in which three to ten persons (excluding supervisory staff or receiving family) live as a family under responsible supervision consistent with the particular needs of its residents. The home is licensed or approved under provincial statutes and in compliance with municipal bylaws."
GUIDELINES		A series of guidelines on matters related to the Planning Act has been published by the Ministry of Municipal Affairs. The subjects include planning advisory committees, local planning in northern Ontario, delegation of the minister's authority, community improvement, working with the new regulations, public notice policies, planning application fees, zoning, site plan control, official plans, minor variances and non-conforming uses. Reference to these and other guidelines may be found under the subject heading (noise, environmental assessment, etc.)

HARBOURS	Government Harbours and Piers Act (Transport Canada)	<p>3 This Act does not apply to any harbour under the control of the National Harbours Board or of any commissioners appointed by Parliament (Toronto, Hamilton, etc.)</p> <p>4 The Act applies to the use, maintenance and ordinary repairs of all other Federal harbours, wharfs, piers and breakwaters.</p>
	Harbour Commissions Act (Transport Canada)	<p>3 This Act provides for the establishment of harbour commissions for any harbour not named in the National Harbours Act or for which a harbour commission has not otherwise been established by Parliament.</p> <p>4 The proclamation establishing a harbour commission must define the limits of the harbour.</p> <p>9 A Commission "shall regulate and control the use and development of all land, buildings and other property within the limits of the harbour, and all docks, wharfs and equipment erected or used in connection therewith".</p> <p>13,19 A Commission may make by-laws regulating or prohibiting the construction of buildings or other structures, and may expropriate land.</p> <p>In an Ontario Supreme Court decision respecting Hamilton Harbour, the Court ruled that the authority of the Harbour Commission to regulate land use was restricted to navigation and shipping purposes. Lands within the harbour limits not intended for navigation and shipping uses are subject to municipal land use regulation. (e.g. industrial lands).</p> <p>Council may regulate, maintain and improve harbours.</p>
Hazard building	Municipal Act 208(31-38) see VACANT BUILDING	
HAZARD LAND	P.A. 2(a)(b), 50(4)(d)(h), 34(3) see also CONSERVATION (NATURAL ENVIRONMENT)	<p>An official plan must have regard to such environmental matters as appear to be relevant...; a plan of subdivision must be reviewed with regard to conservation of natural resources and flooding; and a zoning by-law may prohibit the erection of buildings or structures on land subject to flooding or of unstable character.</p>
Hazardous waste disposal	see INDUSTRIAL NUISANCES, WASTE MANAGEMENT -	
HEALTH AND SOCIAL SERVICE INSTITUTIONS - charitable institution	Charitable Institutions Act (Community & Social Services)	<p>1(c) "Charitable Institution" means all or any part of a building or buildings maintained and operated by an approved corporation for persons requiring residential, sheltered, specialized or group care, but does not include...(a list follows of institutions governed by their own Acts).</p>
- hostel		<p>(e) "Hostel" means a charitable institution for the temporary care of transient or homeless persons.</p> <p>2 All charitable institutions must be approved by the Minister.</p> <p>6,7 Grants may be made by the Minister to an institution or hostel for building purposes and for acquiring and maintaining buildings.</p> <p>8 Maintenance grants equal to 80% or more of the cost may be paid to charitable institutions.</p> <p>12 Cabinet may make regulations governing charitable institutions.</p>
- children's residence	Child and Family Services Act, 1984 (Community and Social Services)	<p>175(a) "children's residence" means,</p> <p>(i) a parent model residence where five or more children not of common parentage, or</p> <p>(ii) a staff model residence where three or more children not of common parentage,</p> <p>live and receive residential care, and includes a foster home or other home or institution that is supervised or operated by a society, but does not include,</p> <p>(iii) a house licensed under the Private Hospitals Act,</p> <p>(iv) a day nursery as defined in the Day Nurseries Act,</p> <p>(v) a recreational camp under the Health Protection and Promotion Act, 1983,</p> <p>(vi) a home for special care under the Homes for Special Care Act,</p>

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		(vii) a school or private school as defined in the Education Act,
		(viii) a hostel intended for short term accommodation,
		(ix) a hospital that receives financial aid from the Government of Ontario, or
		(x) a group home or similar facility that receives financial assistance from the Minister of Correctional Services but receives no financial assistance from the Minister under this Act;
- community psychiatric hospital	Community Psychiatric Hospitals Act (Health)	3 Cabinet may establish hospitals for the care of persons suffering from emotional or psychiatric disorders and any part of any institution may be approved as a community psychiatric hospital.
		7 A community psychiatric hospital is not subject to assessment or taxation for municipal or provincial purposes.
		9 Cabinet may make regulations governing community psychiatric hospitals.
- day nursery	Day Nurseries Act (Community & Social Services)	1(d) "Day Nursery" means a premises that receives more than five children who are not of common parentage, primarily for the purpose of providing temporary care, or guidance, or both temporary care and guidance, for a continuous period not exceeding twenty-four hours, where the children are, <ol style="list-style-type: none"> i. under eighteen years of age in the case of a day nursery for children with a developmental handicap, and ii. under ten years of age in all other cases, but does not include, <ol style="list-style-type: none"> iii. part of a public school, separate school, private school or a school for trainable retarded children under the Education Act, iv. a place that is used for a program of recreation and that is supervised by a municipal recreation director who holds a certificate issued pursuant to section 10 of the Ministry of Culture and Recreation Act.
		3,4,5 A municipal council may establish day nurseries and grant them aid and may enter into agreements with operators for the furnishing of day nursery, private home day care and in-home services. The Minister has similar powers in unorganized territory.
- home for retarded persons	Homes for Retarded Persons Act (Community & Social Services)	1(d) "Home for Retarded Persons" means all or any part of a building maintained and operated by an approved corporation for the residential accommodation of retarded persons, but does not include...(a list follows of institutions governed by their own Acts).
- home for special care	Homes for Special Care Act (Health)	1(a) "Home for Special Care" means a home for the care of persons requiring nursing, residential or sheltered care.
- home for the aged	Homes for the Aged and Rest Homes Act (Community & Social Services)	1(c) "Home" means a home for the aged established or maintained under this Act or a rest home established and maintained under this Act.
- Indian Band	Homes for the Aged and Rest Homes Act (Community & Social Services)	5 The Council of a band may: <ol style="list-style-type: none"> (a) establish and maintain a home; or (b) enter into an agreement with the councils of one or more other bands to establish and maintain a joint home, with the approval in writing of the Minister.
- mental hospital	Mental Hospitals Act (Health)	1(a) "Approved Home" means a home to which patients may be released from an institution in the manner provided by this Act and the regulations.
		1(e) "Institution" means an institution under this Act, and includes every approved home connected therewith.
		2 This Act applies to such institutions as are designated from time to time by the regulations.
- private hospital	Private Hospitals Act (Health)	1(b) "House" means a building or other structure, whether permanent or temporary, intended for human habitation and, where two or more houses are situated on adjacent pieces of land and are occupied by the same person, they shall be deemed to constitute a single house for the purpose of this Act.

		<p>1(h) "Private Hospital" means a house in which four or more patients are or may be admitted for treatment, other than,</p> <ol style="list-style-type: none"> i. a hospital or other establishment or institution supported in whole or in part by provincial aid, ii. an institution in respect of which a license under the Private Sanitaria Act is in force, iii. an institution for the reclamation and cure of habitual drunkards established under the Municipal Act, iv. a children's residence licensed under Part IX (Licensing) of the Child and Family Services Act, 1984 v. a lodging house licensed under a municipal by-law. <p>18 No structural alteration or addition may be made to a private hospital until a plan of the proposed alteration or addition has been approved by the Ontario Hospital Services Commission.</p>
- public hospital	Public Hospitals Act (Health)	<p>1(e) "Hospital" means any institution, building or other premises or place established for the treatment of persons afflicted with or suffering from sickness, disease or injury, or for the treatment of convalescent or chronically ill persons that is approved under this Act as a public hospital.</p> <p>4 No hospital may be established without Cabinet approval. No addition may be made to a hospital without the approval of the Minister.</p>
- nursing home	Nursing Home Act (Health)	<p>1(f) "Nursing Home" means any premises maintained and operated for persons requiring nursing care. "Nursing Home" means any premises maintained and operated for persons requiring nursing care or in which such care is provided to two or more unrelated persons, but does not include any premises falling under the jurisdiction of, ... the Private Hospitals Act, ... the Homes for the Aged and Rest Homes Act, etc.</p> <p>3 No person may establish a nursing home or use the term "a licensed nursing home" unless it is licensed under this Act.</p>
- sanitarium	Private Sanitaria Act (Health)	1(g) "Sanitarium" means an institution for the care and treatment of mental and nervous illnesses that is licensed under this Act.
- sanatorium	Sanatoria for Consumptives Act (Health)	1(f) "Sanatorium" means any sanatorium, institution, building or other premises or place, howsoever created, established or incorporated for the treatment of patients.
Health unit	see PUBLIC HEALTH -	
HEARINGS	Statutory Powers Procedure Act (Attorney General)	This Act sets rules for hearings whose outcome may affect the legal rights of individuals. It formalizes certain principles of natural justice to ensure hearings are conducted fairly. Those municipal meetings required for official plans, community improvement plans and zoning bylaws are exempted from the requirements of the Statutory Powers Procedure Act. The Planning Act itself provides for procedures on each of the planning instruments. It also clarifies that a municipality is not obligated to conduct an OMB-type hearing.
	P.A. 60	
	Consolidated Hearings Act (Environment)	<p>2,4 The Act applies in respect of undertakings (defined in section 1(j)), where more than one hearing before more than one tribunal may be required under the provisions of one or more Acts (listed below). It provides for a single consolidated hearing to be held by a joint board for that undertaking, rather than a series of hearings, and the joint board can make a decision, in place of the decisions which would have been made at or after those hearings under the various Acts.</p> <p>3 At present, a consolidated hearing is held only when a proponent gives Notice to the Hearings Registrar. There is provision for other persons to give such a Notice but this provision will only come into effect on a date to be named in a proclamation. The Notice specifies the general nature of the undertaking, the hearings that are required, and the Act under which those hearings are required.</p> <p>4 Upon receipt of such Notice, the Chairman of the Environmental Assessment Board and the Ontario Municipal Board establish a joint board composed of one or more members from one or both Boards.</p> <p>7,8 Of particular note is the fact that the joint board may award the costs of a proceeding, and may recognize a person as representing a class of parties.</p>
- joint board		

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		13	After a decision has been made by the joint board, Cabinet may, upon application, confirm, vary, rescind or substitute the decision, or require a new hearing. Such application must be made within 30 days after the decision by the joint board.
		14	If no such application is made, the joint board's decision is final.
		Schedule	<p>The Acts to which the Consolidated Hearings Act applies are: the Environmental Assessment Act, the Environmental Protection Act, the Expropriations Act (Sections 6, 7 and 8), the Municipal Act, the Niagara Escarpment Planning and Development Act, the Ontario Municipal Board Act, the Ontario Water Resources Act, the Parkway Belt Planning and Development Act, and the provisions of the following Acts relating to waste disposal site hearings: the Municipality of Metropolitan Toronto Act, the Regional Municipality of Ottawa-Carleton Act, the Regional Municipality of York Act.</p> <p>To date, Joint Boards have held preliminary hearings or hearings of discovery, in which parties to the proceedings are identified and the issues to be heard are clarified.</p> <p>Use of the Consolidated Hearings Act frequently occurs where an Ontario Municipal Board hearing for a re-zoning or an official plan amendment or municipal capital financing approval may be needed for a project which is also subject to the Environmental Assessment Act, or to the hearing provisions of the Ontario Water Resources Act (for sewage works) or the Environmental Protection Act (for waste disposal projects).</p>
	See also PUBLIC PARTICIPATION; ENVIRONMENTAL ASSESSMENT (BOARD); INTERVENOR FUNDING		
HERITAGE CONSERVATION	Ontario Heritage Act (Culture and Communications)	Part I	This part establishes the overall responsibility of the Minister for heritage conservation, protection and preservation.
		Part II	The Ontario Heritage Foundation is appointed by Cabinet. It may acquire and hold property, make grants, advise the Minister, etc.
- easements			<p>A conservation or heritage easement is a legal agreement by which the owner of a property transfers to another person or body the right to approve decisions concerning demolition, addition or alteration of heritage elements of his property.</p> <p>Easements or covenants entered into by the Ontario Heritage Foundation may be registered against real property and shall run with the property. The Foundation may enforce such easements or covenants even where it owns no land which could be accommodated or benefited by such an easement or covenant. A municipal council may also enter into a conservation easement agreement without the necessity of designating the property to be of historic or architectural interest under Part IV of the Act.</p>
- Conservation Review Board		Part III	A Conservation Review Board is appointed by Cabinet to hear appeals under Parts IV and VI.
- Local Architectural Conservation Advisory Committee (L.A.C.A.C.)		Part IV	Individual properties may be designated by a municipality, which may consult a Local Architectural Conservation Advisory Committee. There is provision for hearings, appeals, etc. Council approval is required prior to alterations or demolitions. Council may acquire or expropriate the properties or may make grants for alterations. Council may also acquire easements, or enter into covenants and may even assign them to any person if desired.
- Heritage Conservation Districts		Part V	If the official plan so provides, a whole area may be designated by a municipality as a Heritage Conservation District. The by-law requires an O.M.B. hearing and approval. It provides protection against demolitions, alterations, removals or erections, but demolition or removal can only be denied for 180 days. Council may also acquire or lease a designated property.
		Part VI	Archaeological exploration is only permitted by licence from the Minister. After due notice, property may be designated as archaeologically or historically significant. Thereupon no excavation, alteration or removal of objects may occur except by permit from the Minister. The Minister may also issue a 180 day stop order if a property is likely to be damaged by commercial, industrial or other development. Compensation is provided for.
			The Ontario Heritage Policy Review, launched in 1987, will lead to a government-wide strategy for future programs and initiatives in heritage conservation, including an update of the Act.



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Description and Notes

The following background material is available from the Ontario Government Bookstore:

"A Heritage Conservation Primer" (\$1.00), published in 1984, explains the workings of the Ontario Heritage Act.

"Heritage Conservation District Guidelines".

Also of interest is "Heritage Conservation, the Built Environment" by E. Neville Ward, published by the Lands Directorate, Ottawa, 1986. It deals with law and legislation.

The Ontario Heritage Policy Review, launched in 1987, will lead to a government-wide strategy for future programs and initiatives in heritage conservation, including an update of the Act.

	Historic Sites & Monuments Act (Environment Canada)	A nation-wide inventory of historic buildings is in progress. Provision is made for Federal financial involvement but it has not been substantial in Ontario.
- railway stations	Heritage Railway Station Protection Act (Environment Canada)	This Act requires authorization for the removal or altering, selling or otherwise disposing of designated heritage railway stations unless the disposal is from one railway company to another. The alteration of designated heritage features is similarly restricted.
HIGHWAY	Municipal Act 254-320	This deals with road widening, diversions, closings, openings, etc. and prohibition of vehicular traffic or pedestrian traffic. No highway less than 20 metres in width may be laid out by council or a land owner without the approval of the Minister of Municipal Affairs. (306)
- minimum width		A road may not be closed if it would deprive a person of access to his property, unless compensation is paid and an alternative means of access is provided. (299)
- access to property		Registration of a plan of subdivision does not automatically mean the highways are assumed by the Corporation. (286)
- assumption		A Ministry of Municipal Affairs booklet entitled "Public Road Allowances - a Procedural Guideline" (May, 1981) is now out of print.
	Off-Road Vehicles Act, 1983 (Transportation)	1(e) "highway", includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct, trestle or any other structure incidental thereto, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof.
	Public Transportation & Highway Improvement Act	1 "Highway" means a common or public highway, or any part thereof, and includes a street, bridge or any other structure incidental thereto and any part thereof. "Road" has the same meaning as highway and "roadway" means the part of the road designed for vehicular traffic.
- King's Highway		31 Access to a King's Highway is controlled through a permit issued by the Minister.
		34 The Minister has control over the erection of buildings, gasoline pumps, fences, trees, etc. within 45 metres of any King's Highway and within 180 metres of any intersection. No shopping centre, stadium, drive-in theatre, etc. may be established within 400 metres except by permit from the Minister.
- connecting link		21 Any road deemed by the Minister to be a connecting link between parts of the King's Highway system may be so designated and the Minister may enter into agreement for the construction and maintenance of these connecting links by a municipality or by the Ministry. The proportion of the cost met by the Province varies from 75% to 100%.
- controlled access highway		36-39 Designation as a controlled access highway permits the Minister to close any intersecting road and to control all private access. Similar control exists over buildings, signs, shopping centres, etc. as for a King's Highway, but the distance from an intersection is increased from 180 metres to 395 metres.
- controlled access road		96-98 A municipality may, with approval of the Minister and the O.M.B., designate a controlled access road and close intersecting roads and restrict access.
- secondary highway		40 All the provisions applying to a King's Highway apply also to a secondary highway.
- tertiary road		41 An existing road in unorganized territory may be designated as a tertiary road, whereupon all regulations for a King's Highway apply, except sections 30 and 31. M.T.C. maintains these roads but need not clear snow and is not liable for damage.
- resource road		42 A tertiary road may be designated as a resource road. As a result certain load limits and other provisions of the Highway Traffic Act do not apply.
- industrial road		43 A private road used for lumbering, pulp or mining operations and also by the public may be designated as an industrial road. The Minister and the owner may enter into an agreement re maintenance.

Subject

Reference

Description and Notes

- zoning		62	A county has, with respect to land within 45 metres of a county road, all the power conferred on a local municipality by Section 34 of the Planning Act. Such county by-law would take precedence over a local by-law in case of conflict.
- gas pumps, signs		63	A county may prohibit or regulate (and provide for the issuance of permits for) gas pumps within 45 metres and advertising signs within 400 metres of a county road. (See also OBSTRUCTION OF VIEW).
- suburban road		65-71	Certain county roads may be designated as suburban roads. Cities and separated towns contribute to their construction and maintenance and are represented on the suburban roads commission. Suburban roads continue to be county roads.
- township road		72-77	Various provisions relating to grants, cost sharing with a neighbouring town, etc.
- resort subdivision		78	A township council may levy a <u>higher</u> road rate upon suburban or resort subdivisions than upon the rest of the township. (With the Minister's approval).
- city, town, village road		79-86	Various provisions relating mainly to subsidies.
- district, metropolitan, or regional road		87-89	Various provisions relating mainly to subsidies.
- development road		90	If the traffic load on a township road requires greater expense than the municipality can afford, the Minister may designate it a development road and subsidize it
- expressway		99(a)	"Expressway" means a divided arterial highway that is accessible only from intersecting arterial streets at intersections at grade that have been approved by the Minister and, where required by the volume of traffic, at grade separated interchanges that have been approved by the Minister.
- freeway		99(b)	"Freeway" means a divided arterial highway that is accessible only from intersecting arterial streets at grade separated interchanges that have been approved by the Minister.
- access road and common road	see MOTOR VEHICLE ACCESS TO PROPERTY		
- forest road	Public Lands Act (Natural Resources)	45-52	Private and public forest roads on public lands are defined. The right-of-passage over these roads is also defined and Ministerial agreements to secure public right-of-passage on private forest roads are also explained.
- use of space over or under a highway	Municipal Act 309(4)		Council may make agreements for pedestrian walkways over or under a highway.
	Public Transportation & Highway Improvement Act 2(3)		The Minister may authorize the use of space over or under a highway under the jurisdiction of his ministry.
- leasing use of untravalled portions	Municipal Act 310		Council may lease or license the use of untravalled portions of highways under its jurisdiction to the owners of abutting land; the use of that land may be controlled for parking or other purposes.
- jurisdiction		257-272	These sections describe what constitutes a public highway and clarify that a council of a municipality has jurisdiction over the public highways and bridges in that municipality, unless that jurisdiction has been expressly conferred upon another council.
	see also ROAD..., OBSTRUCTION OF VIEW; BICYCLE AND FOOTPATH; PRIVATE ROAD - snow-plowing; SETBACKS; BOULEVARDS; NOISE		
- Historic preservation	see HERITAGE CONSERVATION		
HISTORICAL PARK	Historical Parks Act (Tourism & Recreation)		This Act provides for the establishment and management of parks in the nature of outdoor museums, such as Saint Marie among the Hurons and Old Fort William.
			"Historical Park" is also a class of park defined by the Ministry of Natural Resources pursuant to the Provincial Parks Act, but it refers to a different type of park, such as the Petroglyphs Park.
	Historic Sites and Monuments Act (Federal)		

H

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Description and Notes

Holding by-law	P.A. 35	
HOLIDAY CLOSINGS FOR RETAIL BUSINESS	Retail Business Holiday Act (Solicitor General)	This Act establishes certain holidays on which retail businesses are to be closed. The exceptions include small grocery stores, milk stores, news and tobacco stands, drug stores, antique shops, flower shops, garden centres, fruit and vegetable stands, service stations and others permitted by the Lord's Day Act (Canada) and the Lord's Day Act (Ontario).
	see also EARLY CLOSING BY-LAWS	4(1) Where it is essential for the maintenance or development of a tourist industry, the council of a municipality may by by-law provide that section 2 (enforcing the retail closings) does not apply, such a by-law or regulation (exempting certain businesses) may classify retail business establishments by size, number of persons employed, character of business, location or any other criterion.
Home for Retarded Person Home for Special Care Home for the Aged	see HEALTH AND SOCIAL SERVICE INSTITUTIONS	
Home Improvement loans	See Housing -	
HOME OCCUPATION	Industrial Safety Act (Labour)	1.12 "Homework" means the doing of any work in the manufacture, preparation, improvement, repair, alteration, assembly or completion of any article or thing or any part thereof by a person for wages in premises occupied primarily as living accommodation.
Home ownership loans	see HOUSING -	
Home renovation	see HOUSING - rehabilitation, conversion	
Hospital	see HEALTH AND SOCIAL SERVICES INSTITUTIONS - mental hospital - private hospital - public hospital	
Hostel	see HEALTH AND SOCIAL SERVICE INSTITUTIONS charitable institution	
HOTEL	Hotel Fire Safety Act (Solicitor General)	1(b) "Hotel" means an establishment consisting of one building or two or more connected or adjacent buildings that provides sleeping accommodation for the public and is licensed or required to be licensed under the Tourism Act or the Liquor Licence Act, but does not include a one storey building that, i. has a total floor area of less than 3,000 square feet, ii. is not attached to any other building, and iii. is at least thirty feet distant from any other building that is a hotel within the meaning of this clause. 1(g) "Storey" means that part of a building between the top of a floor and the top of the next floor above it, or if there is no floor above it, that part between the top of a floor and the ceiling above it, but does not include a penthouse that is not used by the public, and the storey closest to grade having its ceiling more than six feet above grade shall be deemed to be the first storey. 9 The interior and exterior finish materials of every hotel must meet the standards prescribed by the regulations made under this Act. 19 Regulations under this Act may govern, among other matters, the construction and alteration of hotels. 20 Where conflict exists between any regulation made under this Act and any municipal by-law, the regulation prevails. In 1988, the Ministry of Municipal Affairs was reviewing planning issues relating to houseboats, including jurisdictional issues. Contact: 585-6230.
HOUSEBOATS		
HOUSING - policy statement	P.A. 3	A draft policy statement and associated guidelines have been approved for public consultation. They deal with housing issues as they relate to the land use planning process. The guidelines focus on municipal objectives concerning residential intensification and 25% affordable housing. Contact: 585-6233.

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Description and Notes

- OHC	Ontario Housing Corporation Act	This Act establishes the Corporation, which may make loans, grants, etc., or enter into agreements for which the Minister or the cabinet are authorized under the Housing Development Act.
- OHRP	Housing Development Act	1 "Building development" and "building development corporation" are defined. In this Act, "municipality" includes a regional municipality.
- rent supplement		2 Cabinet may guarantee loans, advance money, etc. for building development, for the acquisition and rehabilitation of housing units and for urban renewal. Provision is made for financial assistance for rent supplements, mortgages, etc.
- grants or loans		The Minister may make grants or loans to a municipality or persons to assist in the repairs, rehabilitation, improvement or conversion of real property used or to be used for residential purposes.
- research grants, municipal housing statements		3 The Minister may make grants in aid of housing studies and research. (This is administered by the Field Operations Branch, Ontario Housing Corporation).
- joint projects		7 Municipalities, the province and the federal government may co-operate in joint housing projects. A housing corporation may carry out and manage a housing project.
- expropriation		8 The Ministry may expropriate land for a housing project.
- municipal non-profit housing corporation		13 A municipality may establish one or more non-profit housing corporations to provide and operate housing accommodation at rentals below the current market for persons of modest income.
		17 If there is an official plan in effect in a municipality that includes provisions relating to the provision of housing, which provisions have been approved by the Minister subsequent to the coming into force of this section, or if the council of a municipality has adopted a policy statement containing provisions relating to the provision of housing, which statement has been approved by the Minister, the council of the municipality may,
		(a) acquire and hold land, with or without holdings thereon within the municipality for the purpose of a housing project,
		(b) survey, clear, grade, subdivide, service and otherwise prepare such land for the purpose of the project; and
		(c) sell, lease or otherwise dispose of such land for a nominal or other consideration for housing purposes.
- adjoining land		18 A municipality may enter into an agreement with any person or governmental authority undertaking a housing project to provide that certain specified uses of land are maintained adjoining the project for a specified period.
- temporary projects		19 In an emergency, a municipality may erect temporary housing accommodation.
- rental housing protection	Rental Housing Protection Act, 1986	This Act requires municipal approval for proposals to demolish, convert (to condominium, to a co-operative, a hotel, etc.), renovate or sever (into individual ownership) residential rental property if that action requires vacant possession. The Act is automatically repealed on June 30, 1989 unless extended. An amendment to the Act, given first reading on January 31, 1989, replaces the 1986 Act and contains no provision for automatic repeal. (Bill 211)
	see also RENT REVIEW, DEMOLITION CONTROL	
- social housing	City of Toronto Act	Toronto has special legislation dealing with social housing, including a definition of "social housing program".
	National Housing Act (C.M.H.C.)	2 The Act includes several pages of definitions, including the following:
- family housing unit		"Family housing unit" means a unit providing therein living, sleeping, eating, food preparation and sanitary facilities for one family, with or without other essential facilities shared with other family housing units.
- farm		"Farm" means land used for any tillage of the soil, including livestock raising, dairying and fruit growing.
- house		"House" means a building, together with the land upon which it is situated, intended for human habitation comprising not more than two family housing units.

Subject

Reference

Description and Notes

- housing project			"Housing project" means a project consisting of one or more houses, one or more multiple-family dwellings, housing accommodation of the hostel or dormitory type, two or more condominium units or any combination thereof, together with any public space, recreational facilities, commercial space and other buildings appropriate to the project, but does not include a hotel.
- multiple-family dwelling			"Multiple-family dwelling" means a building containing three or more family housing units.
- one-family dwelling			"One-family dwelling" means a house consisting of one family housing unit not attached to or forming part of any other house.
- semi-detached dwelling			"Semi-detached dwelling" means a family housing unit joined by a common or party wall to one other family housing unit.
- mortgages	Part I	5-12	Part I deals with insured mortgage loans.
- rental housing	Part II	13	C.M.H.C. may contract with builders to guarantee rentals from low income housing of over 7 units.
		14	The above rental housing projects may be financed to 85% of their cost.
- low rental housing		15	Low rental housing projects may be financed by C.M.H.C. loans for up to 95% of the lending value of the project. (The program is currently inactive.)
- non-profit or community sponsored housing	see also COMMUNITY IMPROVEMENT	15.1	For charitable, co-operative or municipally-owned projects, the maximum loan may be 100% of the lending value of the project.
		16	C.M.H.C. may make loans for low or moderate cost housing in connection with mining, lumbering or fishing.
- urban renewal	Part III	27	Funds have been cut off. See URBAN RENEWAL.
- home improvement loans	Part IV	28-33	C.M.H.C. may guarantee bank loans for home improvement.
- Residential Rehabilitation Assistance Program (R.R.A.P.)	Part IV.1	34.1	Loans may be made to the owners of family housing units for improvement and rehabilitation, but only in areas where standards of maintenance and occupancy have been adopted. Loans may also be made to non-profit corporations to convert dwellings to multiple occupancy, hostels, etc., and to Indian individuals, groups or a band council, with the consent of the Minister of Indian Affairs and Northern Development.
- home ownership loans		34.15	Loans may also be made to assist in the construction or acquisition of houses or condominium units by individuals.
- co-operative housing		34.18	Loans or contributions may be made to assist co-operative housing associations. (Currently inactive.)
- research, etc.	Part V	35	C.M.H.C. is responsible for research into housing conditions, for the promotion of improved housing and for encouraging the adoption of community plans. Grants are available under the community organization program.
		36,37	More specific descriptions of C.M.H.C. powers and responsibilities re section 35.
- public housing	Part VI	40	C.M.H.C. may undertake public housing projects jointly with any provincial agency.
- rural housing programs			Two programs are active:
		(a)	The provision of ownership accommodation for low income families in communities of under 2500 population. Administered by C.M.H.C. Subsidies shared by the Province and the Federal government.
		(b)	The provision of senior citizen rental units in communities of under 2500 population. Administered by the Ontario Housing Corporation, managed by local housing authorities. Subsidies shared by the Province and the Federal Government.
- land assembly		42-43	C.M.H.C. may make loans to public housing agencies to acquire and service land for housing purposes, and to build or acquire public housing (Maximum 90%). (Inactive.)
		44	C.M.H.C. may make contributions to subsidize housing accommodation for persons of low income.

Subject	Reference	Description and Notes
- new communities	Part VI.1	45.1 See NEW COMMUNITIES.
- student housing	Part VII	47 C.M.H.C. may make loans to a municipality, provincial agency, hospital, school board, university, co-operative association or charitable corporation for student housing projects (Maximum 90%).
- water and sewerage projects	Part VIII	50 See WATERWORKS; SEWERAGE; COMMUNITY IMPROVEMENT.
- rent subsidy		56.1 Canada Mortgage and Housing Corporation may make contributions to reduce rents in housing projects operated by a non-profit corporation, a province, a municipality, a public housing agency or an Indian group. Funds for non-profit co-op housing are available.
- veterans'	see HOUSING - National Housing Act, sec 15.1, 34.15, 34.16; VETERANS' LAND	
HUMAN RIGHTS IN ACCOMMODATION	Human Rights Code, 1981 (Labour)	The Code includes provisions for equal treatment in the occupancy of accommodation, without discrimination because of race, ancestry, colour, creed, sex, handicap, age, origin or receipt of public assistance.
HYDRO-ELECTRIC POWER	Power Corporation Act (Energy)	This Act describes the authority and function of Ontario Hydro, in general terms (51), and more specifically:
		23(1) Ontario Hydro may be authorized by Cabinet to acquire or flood any land, if necessary without the owner's consent; and to divert any watercourse.
		32(2) Ontario Hydro may enter upon land adjoining a power right of way to remove obstructions.
- entry on private property		63,72 Municipal agents may enter on private property without the owner's consent to erect transmission lines and to interrupt or decrease delivery of power.
		67 A Township Council may, with Ontario Hydro approval, distribute power in the whole municipality or in part of it, and may establish a Hydro-Electric Commission.
- area rate		82 A Township Council may contract with Ontario Hydro for street lighting and may establish an area rate.
		83 All of Ontario not forming part of an area with a Hydro contract is deemed to form one rural power district, wherein the Corporation supplies power directly.
- underground wiring		104-106 Ontario Hydro may direct that all telegraph, telephone and hydro wires be placed underground in cities and towns.
	Rural Hydro-Electric Distribution Act (Energy)	1,2 Grants of up to 50% may be made to municipalities or commissions supplying power to areas in a rural power district or to an adjoining township.
	see also P.A. 61	

Subject

Reference

Description and Notes

IMPOSTS	Municipal Act 166	Contributions received by municipalities in connection with a subdivision may only be used for expenditures benefitting the occupiers of that subdivision. If not required or not likely to be required for the above purpose, however, the contributions may be expended for some other purpose.
	Municipal Act 215	With O.M.B. approval, Council may impose a special charge on classes of buildings that may impose a heavy load on the sewer or water system. These charges are a lien against the property.
	see also CAPITAL LEVIES; AREA RATES	
IMPROVED LAND	Municipal Affairs Act 20(a)	"Improved Land" means a parcel of land separately assessed that has a building thereon, and includes any land in actual use for agricultural purposes, although there is no building thereon.
Improvement area	see BUSINESS IMPROVEMENT AREA	
IMPROVEMENT DISTRICT	Municipal Act 10(2), 11, 357-359	A municipal entity like a township or village but with a 3 person Board of Trustees appointed by Cabinet instead of an elected council.
	Municipal Affairs Act Part III	An improvement district is under the direct supervision of the Ministry of Municipal Affairs.
Improvement permit	see PUBLIC LANDS - restricted area	
INCINERATORS	Municipal Act 210(44)	Council may prohibit garbage incinerators in any class of buildings erected after September 1, 1966.
	Waste Management Act Regulation II	Regulation II relates to standards of location and operation.
INDEX OF MUNICIPAL BY-LAWS	Municipal Act 78 see also MUNICIPAL CODE	The clerk of every municipality must keep an index book of every zoning by-law and every other by-law that affects land without directly affecting title of land.
	Registry Act 1(f) (Consumer and Commercial Relations)	Any municipal by-law that affects land may be registered as an instrument.
INDEX OF STATISTICAL FILES		This publication contains descriptive information on the main statistical data files in the Ontario government. A useful reference document for information officers, researchers and others needing to know what statistical material may be obtained from government sources. It describes the contents of each statistical file and gives the originating Ontario government agency. For ease of reference all files are cross-indexed by subject. Price \$5.00, from the Publications Centre, 880 Bay Street, Toronto.
Index Plan	see REGISTRAR'S COMPILED PLAN	
Indian Band - home for the aged	see HEALTH AND SOCIAL SERVICE INSTITUTIONS - home for the aged	
INDUSTRIAL NUISANCES	Municipal Act 210(128)	Council may regulate potentially noxious trades and may prohibit or regulate tanneries, gas works, distilleries or other manufactories that may cause a nuisance.
	Public Health Act 130	Consent of the local board or the municipal council must be obtained for the establishment of any of the following trades: blood boiling, bone boiling, refining coal oil, extracting oil from fish, storing hides, soap boiling, tallow boiling, tripe boiling, slaughtering animals, tanning hides or skins, manufacturing gas, manufacturing glue, manufacturing fertilizer from dead animals or from human or animal waste, or any other trade that is or may become offensive. Provision is made for a fine of up to \$250, plus \$20 per day.
Industrial Park	see INDUSTRIAL SITES	
Industrial roads	see HIGHWAY -	
Industrial sewage disposal	see SEWERAGE	
INDUSTRIAL SITES	Municipal Act 210(50)	Council may acquire and expropriate land for industrial sites and may sell or lease it for industrial use.
	Development Corporations Act 8	The Ministry of Industry and Trade Program of assistance to municipalities for the establishment of industrial parks was terminated on March 31, 1984.

Subject	Reference	Description and Notes
Industrial Waste	see WASTE MANAGEMENT	
INHIBITING ORDER	LAND TITLES ACT 23 and 117 (Consumer & Commercial Relations)	An inhibiting order is a registered land title restriction which prevents the sale of a parcel of land without the permission of a party named in the order. It may be used, for example, to inhibit the sale of lots in a subdivision until a road is completed to the municipality's satisfaction. The order may be removed at any time by the named party. Whereas Section 23 provides for an inhibiting order to be placed "upon the application of any person interested", including the municipality, an order under Section 117 may only be imposed at the request of the owner.
Interim Control By-Law	P.A. 37	Guideline 8 on "Zoning and Other Land Use Controls" (Oct. 1983) includes a section on interim control by-laws.
INTERPRETATION	Interpretation Act (Attorney General)	Where an Interpretation Section exists in any act, such as the definitions in the Municipal Act, it applies in addition to the definitions, rules and exceptions in the Interpretation Act. The interpretation section of the Municipal Act extends to all Acts relating to municipal matters.
INTERVENOR FUNDING	Intervenor Funding Project Act, 1988 (Attorney General)	This Act establishes a 3-year pilot project to provide intervenor funding to bona fide public interest intervenor groups at hearings before joint boards under the Consolidated Hearings Act, the Environmental Assessment Board and the Ontario Energy Board.

J

Subject

Reference

Description and Notes

Joint board	see HEARINGS -	
JOINT PLANNING AREA	P.A. 9	Under the 1983 Planning Act, the only remaining planning areas are joint planning areas in northern Ontario and areas made up entirely of unorganized territory. Guideline 2 on the Planning Act, entitled "Local Planning in Northern Ontario" deals with joint planning.
JUDGE'S ORDER	Registry Act 86 (Consumer & Commercial Relations)	Upon the application of a municipality, a county or district court judge may cancel in whole or in part any registered plan, or may close or divert a road on a registered plan, impose terms and conditions, etc.
JUDGE'S PLAN		No part of any road or lane may be closed or diverted without the written consent of the owner of the abutting lot(s). No order may be made to amend a plan approved under Section 50 of the Planning Act without the prior consent of the Minister responsible for the Planning Act.
JUNK YARDS	Municipal Act 228	The provision in the Land Titles Act for a Judge's Plan has been deleted. Problems with inadequate boundary descriptions are now handled under the Boundaries Act. A judge's plan was similar to a Registrar's Compiled Plan but was ordered by a Judge on application of the Director of Titles.
	Public Health Act 131	Council may license and regulate salvage yards, junk dealers, car wreckers, etc.
	see also AUTOMOBILE WRECKING YARDS	Any place where junk, rags, bones, refuse, etc. are stored must be approved by the medical officer of health.

K

KING'S HIGHWAY

see HIGHWAY -

Subject	Reference	Description and Notes
LAKES AND RIVERS	Lakes and Rivers Improvement Act (Natural Resources)	<p>2 Much of this Act referred originally to the floating of timber. Since 1971, its purpose has been broadened and is described as being to provide for the use of waters of the lakes and rivers of Ontario and to regulate improvements in them, and to provide for:</p> <ul style="list-style-type: none"> (a) the preservation and equitable exercise of public rights in or over such waters; (b) the protection of the interests of the riparian owners; (c) the use, management and perpetuation of the fish, wildlife and other natural resources dependent on such waters; (d) the preservation of the natural amenities of such waters and on the shores and banks thereof; and (e) ensuring the suitability of the location and nature of improvements in such waters, including their efficient and safe maintenance and operation and having regard to matters referred to in clauses a, b, c, and d, their operation in a reasonable manner. <p>3 The Cabinet may make regulations respecting the use of lakes and rivers and waters therein. The maximum fine is \$5,000.</p>
- dams		13-29 No dam may be built without approval from the Minister, except in emergency. Various provisions relate to dam repairs, etc.
- aesthetics		35-36 The Minister may order the removal of any tree, refuse, substance or matter deposited in a lake or river in a manner as in his opinion impairs the natural beauty of the water body.
- pollution from a mill		38 The throwing of any refuse, sawdust, chemical, substance or matter from any mill into a lake or river, or on the shore or banks thereof, is prohibited. Provision is made for fines of not less than \$50 per day.
- occupied water privilege		90 "Occupied water privilege" means a mill privilege, or water power, that has been or is in use for mechanical, manufacturing, milling or hydraulic purposes, or for the use of which for any such purposes the necessary works are bona fide in course of construction.
	see also NAVIGABLE WATERS	
Land Assembly	see HOUSING - municipal housing projects, - land assembly; INDUSTRIAL SITES; P.A. 25, 57-59; EXPROPRIATION; ONTARIO LAND CORPORATION	
LAND COMPENSATION BOARD	P.A. 41(6) see also EXPROPRIATION -	Section 50(9) of the Planning Act includes a reference to the Land Compensation Board in determining the value of cash-in-lieu of a parkland contribution. However, since 1983, that Board's functions have been transferred to the Ontario Municipal Board.
Land Division Committee	P.A. 54 and 55	
LAND REGISTRATION	Registry Act and Land Titles Act (Consumer & Commercial Relations)	<p>There are two land registration systems in Ontario: the Registry System and the Land Titles System. The fundamental purposes of both systems are to give public notice of interests which are claimed in land, to establish priorities between claimants to land, and to provide an orderly method of recording and of registers where title can be searched.</p> <p>The <u>Registry System</u> is a registry of documents affecting the title of land or an indexed filing system for real property. It ensures that most outstanding interests will be shown on the abstract but a purchaser must still satisfy himself by title search of the legal effect of the registered instruments. Almost any document purporting to affect the title of land may be accepted for registration in a registry office, provided it complies with certain formalities regarding execution, affidavits and description.</p> <p>The <u>Land Titles System</u> is a true register of titles, which authoritatively establishes title. No transfer is effective until recorded but, once this is done, it cannot, apart from fraud, be upset. The title is guaranteed by the Province, backed by an Assurance fund, and no one can acquire rights through mere possession or use of the land. The types of documents acceptable for registration are few in number and must be in the form prescribed by the Act.</p>

- Land Titles
Procedural Guide

Land Registration Reform Act,
1984 (Consumer and Commercial
Relations) O.Reg. 35/85
P.A. 49 (21a)-(21d)

- Automated Recording and
Property Mapping System
(Polaris Project)

LAND SEVERANCE

see CONSENT

LAND USE COMPATIBILITY

There is no rule of general application by which it can be determined if a parcel is under one system or the other. The Registry System is the older and originally applied to the entire province. Nearly all of Northern Ontario is under the Land Titles System, which was introduced in 1885 when very little development had occurred in the north. In Southern Ontario, land becomes subject to Land Titles by the voluntary act of the owner in applying to the land registrar for registration under that Act. However, many areas of the province operate exclusively under the Registry System and have no Land Titles Office. (See Directory of Registry and Land Titles Offices in the Municipal Directory). Subdivision of land by registered plan is virtually the same under the two systems. If part of a lot or block is being conveyed, only under Land Titles must an affidavit be filed showing compliance with Section 50 of the Planning Act. Under the Registry System this requirement is waived because it is fairly easy for a title examiner to ascertain ownership of adjoining parcels.

The regulation under this Act prescribes new forms to be used for all instruments registered and documents deposited under both the Registry Act and the Land Titles Act.

The Act creates five standard types of documents:

- a) Transfer/deed of land,
- b) Charge/mortgage of land,
- c) Discharge of charge/mortgage,
- d) Document general,
- e) Schedule.

Unless these forms are used no registrations in either the land titles or the registry offices will be allowed.

Part I contains new terms which replace old ones to bring them up to date and into conformity with the new documents and procedures.

"Transfer" replaces the word "deed" to cover all conveyances of freehold and leasehold lands. "Document" replaces the term "instrument." "Charge" replaces "mortgage" to describe charges given to secure payment of monies or the performance of other obligations by means of a charge or lien against the charger's property. "Discharge" is used to describe cessations of charges and discharges of mortgages.

For properties designated under Part II of the Act, an automated title index database organized on a property ownership basis replaces the current abstract indexes and parcel registers as the official record. In addition, a digital property mapping database is produced, from which paper property maps showing property identification numbers (P.I.N.) are made available to assist title searching activities. As of April 1, 1987, title information for all 36,000 properties in the Oxford County pilot project was available on the automated system. In July of 1987 the implementation of this system was approved to occur over 10 to 15 years, beginning with the Toronto, Ottawa, Sudbury and Chatham offices. The Toronto site was initiated in April, 1988.

Land use conditions

See PUBLIC LANDS - sale or lease

Land use plan

see OFFICIAL COMMUNITY PLAN;
OFFICIAL PLAN; STRATEGIC LAND
USE PLAN

Land value

see ASSESSMENT

LANDFILL

Environmental Protection Act
Regulation 309

1.20 "Landfilling" means the disposal of waste by deposit, under controlled conditions, on land or on land covered by water and includes compaction of the waste into a cell and covering the waste with cover materials at regular intervals.

1.8 "Dump" means a waste disposal site where waste is deposited without cover material being applied at regular intervals.

see also WASTE MANAGEMENT
- standards; CONSERVATION
- dumping fill

Landscaping

P.A. 40(7)(a)6

LANDS IN TAX ARREARS

Municipal Affairs Act 40

Where any part of taxes are unpaid, property may be taken over by the municipality after one year (for vacant land) or three years (for improved land).

L

LAUNDRIES	Municipal Act 210(158,159)	Laundries and self-service laundries may be regulated.
LEASING OF LAND	Municipal Act 193(2) see also PUBLIC LANDS - sale or lease	Council may lease any land it has acquired.
Leasing of portion of highway	see HIGHWAY -	
LETTERS PATENT		Grant by the Crown of lands, franchises, etc. contained in charters or instruments not sealed up but exposed to open view with the Great Seal pendent at the bottom.
Levies (lot levies)	see IMPOSTS; CAPITAL LEVIES	
LIBRARIES	Public Libraries Act, 1984 (Culture and Communications)	This new Act came into force in 1985. A library board may acquire land. The Expropriation Act applies. One new clause provides that a library board "may operate special services in connection with a library as it considers necessary" 20(d).
Licence of occupation	see PUBLIC LANDS -; PROVINCIAL PARKS	
LICENSING AND REGULATING	Municipal Act 110	The power to license includes the power to prohibit and to refuse a licence at the discretion of Council. However, the courts do not seem to interpret this in the way a layman might. See, for example, Malette vs. Eldon, Municipal and Planning Law Reports, Vol.4 Part 3, August 1978. As used frequently throughout the Municipal Act, "licensing and regulating" implies only a limited power to regulate. For instance, regulating a public garage doesn't include provisions touching the amenities of the premises, such as a fence. (Texaco Canada Limited v City of Vanier, March 19, 1981, Supreme Court of Canada).
Line fences	see FENCES	
Liquid Waste	see WASTE MANAGEMENT	
LITTER	Municipal Act 315(5) Municipal Act 210(76) Environmental Protection Act 73-78 and 3(a), 3(h) City of North York Act, 1988	Council may prohibit the throwing of paper, handbills, dirt, glass or other refuse on any road. The council of a local municipality may prohibit littering of private or public property. 3 No person may abandon any material likely to become litter. Provision is made for fines of up to \$100 for a first offence and \$1000 subsequently. The North York council may require owners of multiple residential and commercial properties to remove garbage and other debris from the non-travelled portion of the road in front of their property.
Livestock barns	see AGRICULTURAL POLLUTION	
Loading Space	P.A. 34(1)6 and 40(7)(a)3	
Local Architectural Conservation Advisory Committee	see CONSERVATION (CULTURAL) -	
LOCAL BOARD	Municipal Affairs Act 1(c)	"Local Board" means a school board, public utility com- mission, transportation commission, public library board, board of park management, local board of health, board of commissioners of police, planning board, or any other board, commission, committee, body or local authority established or exercising any power or authority under any general or special Act with respect to any of the affairs or purposes, including school purposes, of a municipality or of two or more municipalities or parts thereof.
Local board of health	see PUBLIC HEALTH -	
LOCAL IMPROVEMENTS	Local Improvement Act (Municipal Affairs)	1.25 "street" includes a lane, alley, park, square, public drive and public place, or a part of any of them. 2 Works that may be undertaken as local improvements include: street widening and improving, incl. sidewalks, boulevards, sodding, planting, etc.; bridges, sewers, watermain, ex- tensions of gas, light, heat or power works, parks up to 1 hectare, shore protection works and retaining walls and noise abatement works on a street.

		64	Ordinary maintenance is not included but street cleaning, snow cleaning, snow clearing, grass cutting, etc. may be charged on a frontage basis.
		67	A township or village may also construct waterworks, sewerage works and street lighting works.
		6	For works over \$50,000 O.M.B. approval is required if someone objects to the work. Costs may be borne by the entire municipality or by a section thereof or may be shared between the municipality and/or a section thereof, and the lots abutting the work.
		7	Local improvements may be undertaken on petition, on council initiative ("the initiative plan") or on the recommendation of the Minister of Health. Alternatively, council may proceed without petition, but with O.M.B. approval, for certain works.
		12	Owners may petition against a council initiative. Majority opposition may kill a project for at least 2 years.
		20	Except as otherwise provided, costs are assessed to abutting lots on a frontage basis.
		21-52	Various procedures for distributing costs of local improvements are described.
		70	Council may adopt the local improvement system by by-law and thereafter certain works may only be undertaken as local improvements.
	Town of Midland Act, 1980		Generally, if a work such as a street, sewer or watermain has been installed at one owner's expense, the owners of abutting lots may connect to the work without paying any share of the cost. This Act provides for proportional payments from all abutting owners before they may connect.
	see also SIDEWALKS -		
Local municipality	see MUNICIPALITY		
LOCAL ROADS BOARD	Local Roads Boards Act (Transportation)	2	This Act applies only in territory without municipal organization.
		7	Ten or more owners of land in an area may call a meeting to consider the establishment of a local roads area. The Minister may establish the area upon petition from such a meeting. Three trustees are elected.
		10	The Board may, subject to the Minister's approval, determine the work to be performed on local roads in a local roads area.
		19	All land as defined in the Provincial Land Tax Act is liable to assessment and taxation for local roads purposes.
		31-33	Local roads taxes are remitted to the Minister, who adds two dollars for every dollar received, plus an amount in respect of unoccupied Crown Land, and the Minister undertakes the work determined and approved under Section 10.
		39	The Statute Labour Act ceases to apply to a local roads area.
LOCAL SERVICES BOARD	Local Services Boards Act (Northern Development and Mines)		The Minister may establish a Local Services Board in a community located in territory without municipal organization. The order establishing the Board may permit it to exercise jurisdiction over water supply, sewage collection and treatment, garbage collection, street or area lighting, fire protection or recreation.
			A Board may consist of 3 or 5 members, elected annually. A surcharge may be added by the Minister of Revenue to the provincial land tax collected in the Board area and grants may be made by the Minister of Northern Affairs to finance Board operating expenses. In 1988, there were about 45 L.S.B.'s in existence. They are in the Municipal Directory, under the District in which they are located. Additional LSB's created late in 1988 include Kenogami, Wharnccliffe, Mills, Tilden Lake, Monetville, Laurier and Phelps.
LODGING HOUSE	Municipal Act 208(61)		Council may regulate lodging houses, provide for the issuing of licences by the local board of health and prohibit the use of licensed premises except for the use for which the licence was issued.

Subject	Reference	Description and Notes
	Assessment Act 7(10) (Revenue)	"Rooming house" means any house or building or portion thereof in which the proprietor supplies lodging, for hire or gain, to other persons with or without meals in rooms furnished by the proprietor with necessary furnishings and does not include a hotel as defined in the Hotel Registration of Guests Act.
	Building Code Act Ont. Reg. 583/83 as amended	<u>Boarding, lodging or rooming house</u> means <u>building</u> where, (i) <u>building height</u> does not exceed 3 <u>storeys</u> and <u>building area</u> does not exceed 600 sq.m. (ii) lodging is provided for gain with or without meals for more than 3 persons, and (iii) lodging rooms do not have both bathrooms and kitchen facilities for the exclusive use of individual occupants.
	See also PUBLIC HEALTH - TRANSIENT ACCOMMODATION	
Lot levies	see IMPOSTS; CAPITAL LEVIES	
Low rental housing	see HOUSING -	

Main street revitalization	see BUSINESS IMPROVEMENT AREA	
Maintenance and occupancy standards	P.A. 31	The Ministry of Municipal Affairs and Housing has published a pamphlet entitled "All Together Now" and a handbook for property standards officers, entitled "Conserving and Improving our Property". A model by-law is also available.
MANDAMUS		For a discussion of the rights of competing interests in mandamus applications for building permits, see Municipal Planning and Law Reports, Vol. 9, Part 4, June, 1980.
Maps	see TOPOGRAPHIC MAPS; BASE MAPPING; ONTARIO CO-ORDINATE SYSTEM	"Maps: A Map Index for Community Planning in Ontario" is available from the Ontario Government Bookstore. Price: \$5.
MARINAS	Ontario Water Resources Act 44(1)(1) Gasoline Handling Act 1(j) (Consumer & Commercial Relations)	The Minister may regulate marinas to control pollution. (Regulation 310) "Marinas" means any premises at which gasoline or an associated product is sold and is put into the fuel tanks of motor boats and other craft or into portable containers.
Market value	see ASSESSMENT -	
Mausoleum	see CEMETERY	
MASSAGE PARLOURS	Municipal Act 210(160)	Council may regulate massage parlours and enforce the regulations through the health department or the police department.
Master Plan	see OFFICIAL PLAN	
METES AND BOUNDS		"Metes and Bounds" refers to a system of describing land by means of a written description referring to metes - measures of length - and natural or artificial boundaries. The description follows a course from a fixed point called a monument or marker to other fixed points until the area is entirely enclosed.
METRIC SYSTEM	Weights and Measures Act (Consumer & Corporate Affairs Canada) Registry Act O. Reg. 898/80 Boundaries Act O/Reg. 85/80 Certification of Titles Act O/Reg. 98/80 Land Titles Act O. Reg. 554/80 Condominium Act (Consumer & Commercial Relations) O. Reg. 122/80 Metric Conversion Statute Law Amendment Act (Industry Trade and Technology)	Schedule II of this Act provides the metric equivalent of 1 yard. 1 yard = 9144/10,000 metre This Regulation provides information in both the metric and imperial systems on the maximum permissible error in closure for a subdivision perimeter survey. Maximum permitted distances for other surveying technicalities are also given in both metric and imperial measurements. If metric measurements are used on a plan of survey, a standard note must be included to indicate that all measurements are in metres and can be converted to feet by dividing by 0.3048. The Ministry of Consumer and Commercial Relations has produced a metric information kit for use in the land registration systems. (June, 1976). Since July 1, 1976, plans have been accepted at Land Registry offices in either imperial or metric units. This Act converts measurements in many different Acts into the metric system. Not all parts have been proclaimed. Part VII, proclaimed on January 22, 1979 contains amendments to the Planning Act which will facilitate the use of metric measurements in municipal planning documents.
MINERAL AGGREGATES	P.A. 42 Aggregate Resources Act, 1988 Pits and Quarries Control Act (Natural Resources)	Bill 170, an Act to revise several Acts related to Aggregate Resources was introduced on June 27, 1988. When in force, it repeals the Pits and Quarries Control Act. 1 Pits, quarries and wayside pits are defined. (The latter are temporary pits for road projects). 2 The Act applies only to the areas designated by Cabinet regulation. Over 400 townships have been designated, mostly in southern Ontario. A list may be obtained from any district office of the ministry. 4 No pit or quarry may be established without a licence from the Minister. Applications must include a site plan, including land use within 150 metres of the boundaries of the lands to be set aside for the pit or quarry. Operations must conform to the site plan.

		5	If anyone objects to an application, the matter must be referred to the O.M.B.
		6	The Minister may refuse to issue a licence if it is against the public interest, in his opinion. No licence may be issued if the location contravenes an official plan or local by-law. Where there is no official plan or by-law regulating pit and quarry location, council must be notified and if they object within 45 days, the Minister shall not issue the licence.
		7	A licence must be reviewed at least annually and may be revoked.
		11	Every licensee must submit a deposit as required by the regulations and may forfeit that deposit if rehabilitation is not adequately carried out.
- restraining order		12	Wayside pits require a permit.
		15	The Minister may enforce compliance with the Act by applying for a restraining order.
- Provincial policy	P.A. 3	17	This Act prevails over a municipal by-law.
			A Provincial policy statement on mineral aggregate resources was issued jointly by the Ministers of Natural Resources and Housing in 1986. The Ministry of Natural Resources published a guideline on implementation in the same year. It is available from the Ontario Government Bookstore for \$0.75.
- zoning	P.A. 34(2)		Pits and quarries are deemed to be a use of land for the purpose of zoning. The courts had previously determined that this activity was not a "use of land" within the meaning of the former Planning Act. One result is that existing pits can now be rendered non-conforming by appropriate zoning, whereas previously an existing pit was immune from this.
- restrictive zone			As a Cabinet policy, the provincial government has established a pits and quarries restrictive zone in the Niagara Escarpment area. In addition to a development permit, an application must be made to lift the pits and quarries restrictive zone.
MINING	Mining Act 1 (Northern Development and Mines)		This Act includes definitions of terms such as "mining rights", "surface rights", "mine", "refinery", "mining lands", and "minerals". A new Mining Act received first reading in 1986.
	Landlord and Tenant Act 19(1)(e) (Attorney General)		A definition of "mining lease" is included.
	Conveyancing and Law of Property Act, 16, 17 (Attorney General)		Note that Section 49(2) of the Planning Act clarifies that no consent is required to separate mining rights from surface rights.
	see also PUBLIC LANDS - mineral rights		"Mining rights" and "surface rights" are defined.
Minister's order	P.A. 46, 47, 48		
MINOR VARIANCE	P.A. 44		A "Guide to Legislation Affecting Mining in Ontario" was published as Mineral Policy Background Paper No. 9 by the Ministry of Natural Resources in 1979; it was updated in 1984.
- registration on title			See "Rules of Procedure - Minor Variance Applications", O. Reg. 155/78
			Registrars were advised in December, 1980 that minor variances do not affect title to land and, therefore, are not registrable under either the land titles or registry system.
MOBILE HOME	P.A. 31(1)(e), 34(3), 40(1), 45, 47, 48		Individual mobile homes may be located on lots subject to the same restrictions as other dwellings, provided that not more than one mobile home is located on a lot. Mobile home parks, or any grouping of mobile homes on a single parcel of land, may only be developed or expanded on land specifically zoned to permit such use of land. Some of the existing legislation affecting mobile homes still refers to them as trailers. The term trailer should no longer be used to describe factory built dwellings designed for permanent occupancy. Section 45 of the Planning Act does not apply to recreational vehicles, but only to mobile homes (including double wides) constructed for permanent residential accommodation. It should be noted that Section 31 of the Planning Act re maintenance and occupancy standards includes a mobile home in the definition of "property".

M

Subject

Reference

Description and Notes

	Highway Traffic Act 1(1)15b	"Mobile home" means a vehicle, other than a motor vehicle, that is designed and used as a residence or working accommodation unit and exceeds 2.60 metres in width or 11.0 metres in length.
	Residential Tenancies Act (Housing)	1(1)(g) "mobile home" means any dwelling that is designed to be made mobile, and constructed or manufactured to provide a permanent residence for one or more persons, but does not include a travel trailer or tent trailer or trailer otherwise designed. 1(1)(h) "mobile home park" means the rental units, and the land, structures, services and facilities of which the landlord retains possession and that are intended for the common use and enjoyment of the tenants of the landlord, where two or more occupied mobile homes are located for a period of sixty days or more.
	Landlord and Tenant Act (Attorney General)	81 The definition of a mobile home park is the same as above, except that "residential premises" is substituted for "rental units". Part IV of the Act deals with mobile homes and, among other matters, lists the responsibilities of a landlord in a mobile home park for garbage disposal, road maintenance, etc.
	Ontario Building Code 2.1.1.5(2)	The Code refers to special structural requirements for mobile homes, which apply to manufactured buildings intended for residential occupancy, constructed in sections not wider than 4.3 meters.
	see also TRAILERS; TRAILER AND TOURIST CAMPS AND MOTELS; P.A. 31(1)(e); UNORGANIZED TERRITORY	"Planning for Mobile Homes" is a booklet published by the Ministry of Municipal Affairs and Housing in September, 1981 to assist in the preparation of official plan policies on mobile homes. It is now out of print.
MODULAR HOME	Retail Sales Tax Act 1.7 (Revenue)	"Modular home" means a house that is intended for residential purposes and that is constructed by assembling manufactured modular units each of which comprises at least one room or living area, has been manufactured to comply with the A277 series of standards prescribed by the Canadian Standards Association, and bears the seal of that Association attesting to such compliance.
MONEY BY-LAWS	Ontario Building Code 2.1.1.5(1)	Sections 142-157 deal with debentures, municipal debt, contracts for the supply of public utilities, etc.
	Municipal Act Part X	
Mortgages	see HOUSING - and HOUSING - Rural housing mortgages	
Motel	see TRAILER AND TOURIST CAMPS AND MOTELS	
MOTORIZED SNOW VEHICLE	Motorized Snow Vehicles Act	Council may prohibit the driving of motorized snow vehicles along or across any highway. (A snow vehicle is excluded from the definition of a motor vehicle).
MOTOR VEHICLE	Trespass to Property Act 11	A 1988 amendment makes it possible to prosecute owners of motorized snow vehicles for trespass.
	Highway Traffic Act 1(1)23	"Motor vehicle" includes an automobile, motorcycle, and any other vehicle propelled or driven otherwise than by muscular power; but does not include the cars of electric or steam railways, or other motor vehicles running only upon rails, or a motorized snow vehicle, traction engine, farm tractor, self propelled implement of husbandry or road-building machine within the meaning of this Act.
	see also VEHICLE	
MOTOR VEHICLE ACCESS TO PROPERTY	Road Access Act, 1978 (Municipal Affairs)	1(a) "Access Road" means a road on land not owned by a municipality and not dedicated and accepted as, or otherwise deemed at law to be, a public highway, that serves as a motor vehicle access route to one or more parcels of land. 1(b) "Common Road" means an access road on which public money has been expended for its repair or maintenance.
- closing order		This Act provides for a legal process before an existing access to property over a neighbour's land may be closed. Provision is made for a closing order to be issued by a judge after appropriate notification. Provision is also made for an appeal from the order. It is prohibited to place or maintain a barrier across an access road.
- barriers	see also Highway - access to property	
MOTOR VEHICLE RACING	Municipal Act 210(59)	Council may prohibit or regulate the racing of motor vehicles or motorcycles in any area of the municipality.
Multiple family dwelling	See HOUSING -	

Subject	Reference	Description and Notes
MUNICIPAL BOARD	Ontario Municipal Board Act (Attorney General)	33-34 The O.M.B. has the power of a court of record. It has authority to determine questions of law or fact.
- appeal		53 The Board is charged with the approval of money or debenture by-laws, and approves any by-laws as required by law or which a municipality voluntarily applies for. It may enquire into the financial affairs of municipalities, supervise expenditures, hear and determine disputes between municipalities and settle sewer and water rates between them.
		44 The Lieutenant-Governor-in-Council may refer to the Board any matter relating to a municipality, railway or public utility subject to the Board's jurisdiction.
		42 The Board may re-hear any application before deciding it or may review, rescind or change any decision, approval or order made by it.
		94 The Lieutenant-Governor-in-Council may confirm, vary or rescind an O.M.B. decision and may order a rehearing.
	see also HEARINGS	95 Leave may be sought from a Court of Appeal to appeal an O.M.B. decision on a question of law or jurisdiction. The court certifies its opinion to the Board and the Board must issue an order accordingly.
- costs		96 Costs of an OMB hearing are in the discretion of the Board. In 1988, the Board published guidelines on costs, available from its information office. (416-598-2266)
- Rules of Procedure	Ont. Reg. 537/87	The Board's current Rules of procedure came into force on January 1, 1988.
Municipal Boundaries	see BOUNDARIES	
MUNICIPAL CODE	Municipal Act 105 see also INDEX OF MUNICIPAL BY-LAWS	Instead of passing separate by-laws, Council may pass a comprehensive general by-law to be known as a Municipal Code. If it consolidates earlier by-laws, those provisions are deemed to have come into force on the day the original by-law came into force.
MUNICIPAL GRANTS	Ontario Unconditional Grants Act (Municipal Affairs) see also FINANCIAL ASSISTANCE TO MUNICIPALITIES	This Act describes the formulas used to assign provincial grants to the municipalities. It covers grants for municipal police service, general support grants, resource equalization grants, and special grants for Northern Ontario. Schedules describing these formulas and designating certain grants may also be included.
Municipal Housing Statement	see HOUSING -	
MUNICIPAL LOANS	Municipal Works Assistance Act (Municipal Affairs)	This Act empowers the Minister to make and forgive loans to municipalities and to make arrangements to borrow money from the Municipal Development and Loan Board, as contemplated in the Municipal Development and Loan Act (Canada). Eligible municipal projects include school board capital works.
MUNICIPAL PLAN	Registry Act 85 (Consumer & Commercial Relations) O/Reg. 898 (45-50) see also JUDGE'S PLAN; REGISTRAR'S COMPILED PLAN;	Where land in a municipality has been sold under surveys or subdivisions made in such a manner that it so differs from the way in which it was surveyed or granted by the Crown that the parcels cannot be identified, and the land is not registered, the council may cause a plan of that land to be made, register it and have the expenses incurred paid for by a special area assessment rate.
MUNICIPAL POWERS		The Municipal Councillor's Manual, published by the Ministry of Municipal Affairs, (\$5 at the Ontario Government Bookstore) includes a section entitled "Councillors as Law Makers" which discusses the legal limitations on the exercise of power at the municipal level.
MUNICIPALITY	Municipal Act	1.18 "municipality" means a locality the inhabitants of which are incorporated.
		1.11 "local municipality" means a city, town, village or township.
	Municipal Affairs Act	1(f) "municipality" means the corporation of a county, city, town, village, township or improvement district and includes a local board thereof and a board, commission or other local authority exercising any power with respect to municipal affairs or purposes, including school purposes, in an unorganized township or unsurveyed territory.
	see also COUNTY	

Names	see GEOGRAPHIC NAMES; STREET NAMES	
NATURE RESERVE, NATURAL ENVIRONMENT	see PROVINCIAL PARK - classification	
NAVIGABLE WATERS	Beds of Navigable Waters Act 1 (Natural Resources)	The bed of any navigable water is Crown land. Beaches are not necessarily crown land, depending on the patents. The province controls the bed, the federal government controls the surface. If a creek is a navigable waterway and its bed is owned by the Crown, lands on each side of the creek would not be abutting land for the purposes of the Planning Act.
	Navigable Waters Protection Act (Transport Canada)	5 No work may be built in, upon, over, under, through or across any navigable water unless the plans have been approved by the Minister. This does not apply to works that in the Minister's opinion do not interfere substantially with navigation. "Work" may include a bridge, tunnel, dock, power cable, the dumping of fill, etc.
		19,20 No rubbish likely to interfere with navigation may be thrown into navigable waters. No stones, gravel, rubbish, etc. may be thrown into navigable tidal water unless there is a depth of at least 20 fathoms at all times.
Neighbourhood improvement	see COMMUNITY IMPROVEMENT - ONIP	
NEW COMMUNITIES	National Housing Act Part VI. 1	45.1 C.M.H.C. may participate with a provincial agency in the planning and development of new communities. The province must indicate its plans for urban growth. The agreement must stipulate the measures to be taken to ensure that the public will receive any economic benefits that may be obtained from the lands and services.
		45.2 Loans may be made to the provincial agency for the development of the new community, and up to 50% of the loan may be forgiven.
	see also NORTH PICKERING; ONTARIO LAND CORPORATION	
NIAGARA ESCARPMENT	Niagara Escarpment Planning and Development Act (Municipal Affairs)	1(c) The Minister responsible for this Act is the Provincial Secretary for Resources Development. However, the Minister of Municipal Affairs and Housing is responsible for the regulations relating to development control (22 and 23).
		2 The purpose of this Act is to preserve the escarpment substantially as a continuous natural environment.
		3 The Minister may define the Niagara Escarpment Planning Area and may direct that a plan be prepared suitable for approval as the Niagara Escarpment Plan.
		4 The Minister is required to establish at least two advisory committees representing the municipalities and the people of the planning area.
		5 Cabinet appoints the Niagara Escarpment Commission composed of seventeen members. The Commission has the status of a corporate body.
		8 The objectives to be sought in the preparation of the Plan are described;
		9,10 Also, the contents of the Plan and the process of its preparation. The Plan is to be submitted to Cabinet for approval. (A plan was approved in 1986.)
		12 Amendments may be initiated by the Minister or the Commission and are submitted to Cabinet for approval.
		13 No Ministry may undertake any works in conflict with the Plan and all by-laws must conform to the Plan.
		14 The provisions of the Plan prevail over any local plan or zoning by-law.
		15 The Minister may receive proposals from local municipalities to resolve conflicts between the Plan and local plans or by-laws and he may order an Amendment to a local plan.
		16 The Minister may direct a local municipalities to prepare and adopt a plan or zoning by-law conforming to the Niagara Escarpment Plan.
		17 The Plan must be reviewed not later than five years after coming into effect, and subsequently at five-year intervals.

Subject	Reference	Description and Notes
	18	The Minister may expropriate land to develop the Plan.
	19,20	The Minister may make grants to assist in implementing the Plan.
	21	The functions of the Commission may be transferred to a region or county council, when the Plan has been substantially completed.
- development control	22,23	The Minister may designate any area as being under development control and the Minister of Municipal Affairs and Housing may regulate the issuance of development permits.
	24	No development may occur and no building permit may be issued without prior receipt of a development permit. (Maximum fine: \$10,000) Development in contravention of the Act may be demolished.
	25	The issuance of development permits may be delegated to the Commission or some other body. The permit relates to the development itself and is not a personal permit.
- fixed assessment	27	Agreements may be made for fixed assessments on lands where-upon assessments would otherwise be increased due to a Plan designation. The Minister may reimburse the municipality where agreements for fixed assessments have been concluded.
NOISE	Municipal Act	210(132) Council may prohibit the making of noise likely to disturb the inhabitants in any defined area. (These by-laws are difficult and expensive to enforce because of the need for corroborative evidence and because quantitative standards may not be included in the by-law. A by-law pursuant to the Environmental Protection Act is usually preferable).
- abatement works	Local Improvement Act (1)2(1), 27(1) & 32(1)	309a Municipalities may construct noise abatement works on the untravelled portion of any highway. They may be undertaken as local improvement work and the costs may be distributed among the beneficiaries.
	Environmental Protection Act	1(c) A contaminant is defined to include noise.
	13	The province may prosecute noise polluters under the general provisions of this section which prohibits the emission of contaminants which "...causes or is likely to cause harm or material discomfort to any person; adversely affects or is likely to adversely affect the health of any person,..."
- control order	113-119	The Directors of branches within the Ministry may issue "control" or "stop orders" (where authorized by this Act) in order to control or stop the amount of contaminant being discharged into the environment by the person indicated on the order.
- municipal by-law	135	The council of a local municipality may pass by-laws regulating the emission of sound, prescribing maximum permissible sound levels, providing for the licensing of persons and premises with respect to noise emissions and prescribing procedures for determining noise levels. These by-laws are subject to the Minister's approval.
- model by-law		A Model Municipal Noise Control By-law has been prepared by the Ministry of the Environment (August, 1978). The booklet containing the model by-law also includes some related publications: "Guidelines for Noise Control in Land Use Planning", "Guidelines for Noise Control in Rural Areas" and "Guidelines on Information Required for the Assessment of Planned Stationary Sources of Sound".
- vehicular noise	Highway Traffic Act 57	Excess vehicular noise, fumes or smoke are prohibited.
- freeway noise		Provincial policy is outlined in "Guidelines on Noise and New Residential Development Adjacent to Freeways" (April 1979) published by the Ministry of Municipal Affairs and Housing. C.M.H.C. has published a document entitled "Road and Rail Noise, Effect on Housing"(1977).
- railway noise		
- land use planning		"Environmental Noise Assessment in Land Use Planning" is a manual published by MOE in 1987, setting out principles and methods of assessing noise and its impacts related to land use planning. The Ministry of the Environment has a noise prediction model for determining noise levels expected in new developments near <u>arterial</u> roads.
- arterial roads	see also AIRCRAFT NOISE	
Non Profit Housing	see HOUSING - Non-profit or community sponsored housing	
NORTH PICKERING	North Pickering Development Corporation Act, 1974 (Government Services)	This Act was dissolved by the North Pickering Development Corporation Repeal Act, 1982.
	see also ONTARIO LAND CORPORATION	The property rights and obligations of the dissolved Corporation are now vested in the Ontario Land Corporation.

N

Subject

Reference

Description and Notes

Notice	see PUBLIC PARTICIPATION - notification and objections	
Noxious manufactures	see INDUSTRIAL NUISANCES	
NUISANCE	Public Health Act	<p>32 Where information is given in writing to a local board of health by a resident householder of the existence of a nuisance or unsanitary condition, the local board must forthwith investigate the complaint and take all necessary steps to abate it.</p> <p>38 If the local board doesn't act expeditiously, the Minister may step in and charge the municipality.</p> <p>115-129 Any condition that may become injurious to health may be deemed a nuisance. Among other matters, this may include refuse accumulation, water supply pollution, industrial location, dwelling overcrowding, air pollution, etc.</p> <p>A local council may pass by-laws for prohibiting and abating public nuisances.</p>
	Municipal Act 210(134)	
	see also PUBLIC HEALTH, INDUSTRIAL NUISANCES; AGRICULTURAL LAND - nuisance claims	
NUMBERING OF BUILDING LOTS	Municipal Act 210 (106, 107)	<p>A local council may pass by-laws for the numbering of building lots and buildings in the municipality and it is obliged to keep a public record of such numbering.</p>
Nursery, Day	see HEALTH AND SOCIAL SERVICE INSTITUTIONS - Day Nursery	
Nursing home	see HEALTH AND SOCIAL SERVICE INSTITUTIONS - nursing home	

Subject	Reference	Description and Notes
OBSTRUCTION OF VIEW AT INTERSECTIONS AND ALONG ROADS	Municipal Act 307	Council may enter into agreements for the removal of trees, shrubs, fences, signboards, etc., obstructing visibility at an intersection. If no agreement is obtained, an order may be sought from a county court judge.
	Public Transportation & Highway Improvement Act	30(7) Subject to appropriate compensation, the Minister may require the removal of any obstruction which might impair the safety or convenience of travellers on a King's Highway.
	see also HIGHWAY - King's Highway	108 A county or township may fix the distance from centreline within which no tree, building, sign or other obstruction may be allowed which might cause snow to accumulate or might obstruct vision. A road superintendent may negotiate an agreement to remove an existing obstruction and, failing agreement, may apply to a judge for an order to remove it.
Occupancy of unfinished buildings	see UNFINISHED BUILDINGS	
Occupancy permit	see CERTIFICATE OF OCCUPANCY	
Occupied water privilege	see LAKES AND RIVERS -	
ODOURS	Environmental Protection Act 1(c)	An odour is included in the definition of a contaminant. MOE's "Guidelines for Compatibility between Sewage Treatment Facilities and Sensitive Land Uses" (1984) sets out buffer zones to minimize the effect of odours emanating from municipal and private sewage treatment plants and waste stabilization lagoons.
- sewage odours	see also AGRICULTURAL LAND; NUISANCE	
Offensive Trades	see INDUSTRIAL NUISANCES	
OFFICIAL COMMUNITY PLAN	National Housing Act 2	"Official community plan" means a master plan of community development and land utilization prepared by a local planning authority and legally adopted by or on behalf of a municipality.
Official Plan	P.A. 1(h) 16-27 see also ANNEXATION AND AMALGAMATION	Guideline 10 in the series of guidelines published by the Ministry of Municipal Affairs is entitled "Official Plan Documents: Preparation, Adoption, Submission and Lodging". (August, 1984) Guideline 12, published in May, 1988, is entitled "Official Plan Review".
Old Age Homes	see HEALTH AND SOCIAL SERVICE INSTITUTIONS - home for the aged	
Old people	see ELDERLY PERSONS CENTRE	
One-family dwelling	see HOUSING -	
Ontario Building Code	see BUILDING CODE	
ONTARIO CO-ORDINATE SYSTEM	Surveys Act O/Reg. 809 (Natural Resources)	The Surveys Act was amended in 1967 to provide for regulations for systems of co-ordinate surveys. One system, "The Ontario Co-ordinate System", was defined in Regulation 809. Although surveying and mapping programs were undertaken using the three degree grid of that system, it was never implemented as a provincial program. The Universal Transverse Mercator Grid System has been adopted as the official standard geographical referencing grid for the Province. It is called the "Ontario Geographical Reference Grid". Further details are available from the Surveys, Mapping and Remote Sensing Branch, Ministry of Natural Resources (Kevin Kelly, Geodetic Services; telephone 416/733-5138).
ONTARIO LAND CORPORATION	Ontario Land Corporation Act (Government Services)	Ontario Land Corporation is a provincial agency responsible for managing, planning, developing and marketing lands owned by the province throughout Ontario. Its development projects include, among others, Malvern, Townsend, Heritage Green and Seaton. The corporation also administers an extensive mortgage portfolio through its wholly owned subsidiary Ontario Mortgage Corporation.
ONTARIO GAZETTE	Official Notices Publication Act (Attorney General)	Published weekly, the gazette is the official source for notification of legislation and regulations.
Ontario Municipal Board	see MUNICIPAL BOARD	

O

Subject

Reference

Description and Notes

Ontario Planning and
Development

see PROVINCIAL PLANNING

Open space

see PARKS; PARKWAY BELT;
SITE PLANNING

OUTDOOR FESTIVAL

Public Health Act 10

"Outdoor festival" means a festival for the assembly of more than 2,000 people out of doors for at least 24 hours for musical or theatrical entertainment. The Minister may, with Cabinet approval, make regulations for health and safety standards, for bonding of the promoters, etc. Provision is made for fines up to \$10,000.

Outhouses

see GARAGE; PUBLIC HEALTH

Overcrowding

see PUBLIC HEALTH; NUISANCE

Subject

Reference

Description and Notes

PARCEL	Boundaries Act 1(c) (Consumer & Commercial Relations)	"Parcel" means an area of land described in an instrument by which the title to an interest in land is or was established or an area of land shown on a plan and includes a public highway or any part thereof.
PARKS - area rate	Municipal Act 208(51-53) Public Parks Act (Municipal Affairs) Parks Assistance Act (Natural Resources)	Council may acquire land for park purposes. The cost may be area rated. 3 Parks established under this Act must be managed by "The Board of Park Management", which may acquire land, etc. 2 The parks established under this Act must be maintained and operated for the use and enjoyment of the public in such a manner as will be complementary to the use and enjoyment of provincial parks. 3 This Act authorizes grants to assist municipalities in the acquisition and development of an approved park or the conversion of a park to an approved park. 5 Municipalities must file for assistance to the Ontario Parks Integration Board. 10 Municipalities may pass by-laws (with regard to these parks) regulating such things as: the care, preservation, improvement and management of the park, the amount of traffic in the park, admission prices, etc.
	see also P.A. 41, 50(5)(7)(10)(11)(12), 52(3); PROVINCIAL PARK; RECREATION; SCHOOLS - recreation; HISTORICAL PARK	
PARKING - cash in lieu	P.A. 39	
- heavy vehicles	City of Cornwall Act, 1986	The Corporation may pass by-laws restricting parking of vehicles in excess of 3000 kgs on residential streets.
Parking areas	see Site Plan Control; SITE PLANNING; HIGHWAY - leasing use of untravelled portions; PERMIT PARKING; P.A. 39	
PARKING GARAGES	City of Windsor Act, 1988	In Windsor, the council may pass by-laws requiring screening around parking garages.
PARKING LOTS - area rate	Municipal Act 208 Municipal Act 217(34)	(55) Council may establish a public parking lot and may, with O.M.B. approval, levy the cost on a defined area. (56) A parking authority may be established for the operation of parking facilities within the municipality. The Minister of Municipal Affairs may make loans or grants to a municipality for the establishment of a public parking lot.
PARKWAY BELT	Parkway Belt Planning & Development Act (Municipal Affairs)	1 The Minister may define a Parkway Belt Planning Area and direct that a Parkway Belt Plan be prepared. (A Parkway Belt West Plan has been prepared and has been approved by Cabinet).
- fixed assessment		2 The Parkway Belt Plan is a development plan within the meaning of the Ontario Planning and Development Act. 3 An agreement may be made for fixed assessment if an existing land use differs from the Parkway Belt Plan or local plan designation and the assessment would otherwise be increased as a result of the designation. The Minister may reimburse the municipality for the reduced assessment.
- zoning orders		4 The Minister may make land use regulations within the Parkway Belt Planning Area (Zoning orders). Such regulations need not conform to a local official plan.
Part lot control	P.A. 49(5) and (6)	
Partial Sales and Partial Foreclosures	P.A. 49(16),(17)	
PARTITION	Partition Act (Attorney General)	This Act is intended to provide for the equitable division of assets in land among two or more co-owners, creditors, partners, mortgagees, etc. Section 49(20) of the Planning Act clearly makes orders under the Partition Act subject to consent.

P

Subject

Reference

Description and Notes

PEDESTRIAN MALL	Municipal Act 210(123)	Council may establish a pedestrian mall, with the approval of the Minister of Transportation. Any class of vehicle may be excluded at any specified time.
	Municipal Act 298(10)	In closing a road, council may specify that it is closed for vehicular traffic only, and may erect barricades.
Pedestrian overpass Pedestrian underpass	see HIGHWAY - use of space over or under a highway	
Penalties	see ENFORCEMENT OF BY-LAWS	
PERMIT PARKING	Municipal Act 210(118)	Council may pass by-laws allowing parking on designated parts of highways for specified periods and during specified hours, subject to permits.
Pigeons	see ANIMALS	
PIPELINE	Ontario Energy Board Act 46-55 (Energy)	No transmission line for natural gas may be constructed without an order from the Energy Board. Provision is made for notice, objection procedures, hearing and expropriation.
Pits and quarries	See MINERAL AGGREGATES	
Place names	see GEOGRAPHIC NAMES	
PLACE OF AMUSEMENT	Retail Sales Tax Act 1.9 (Revenue)	"Place of amusement" means an amusement park or a premises or place, whether enclosed or not, where a cinematograph or moving picture machine or similar apparatus is operated, or where a theatrical performance or entertainment, carnival, circus side show, menagerie, concert, rodeo, exhibition, horse race, athletic contest or other performance is staged or held or where facilities for dancing are provided to the public with the service of liquor, beer or wine and to which admission is granted upon payment of a price of admission through the sale of tickets otherwise.
	Municipal Act 232.667	By-laws may be passed to regulate, license and prohibit the location of various types of places of amusement, including theatres, bowling alleys, public halls, circuses, waxworks, carousels, etc.
Place of worship	see RELIGIOUS INSTITUTION	
Planned Communities	see NEW COMMUNITIES	
PLANNING ADVISORY COMMITTEE	P.A. 8	Guideline 1 under the 1983 Planning Act discusses the role of planning advisory committees.
Planning area	P.A. 9	
Planning board	P.A. 9-14	
Plan of subdivision	see SUBDIVISION PLAN	
Playgrounds	see PARKS; RECREATION	
PLUMBING	Ontario Water Resources Act (Housing)	The plumbing sections of the Act are administered by the Building Code Branch of the Ministry of Housing. At the time of publication, it was intended to transfer the plumbing regulations to the Ontario Building Code Act. When that happens, the O.W.R.C. Act will be entirely administered by the Ministry of the Environment.
	O/Reg 374/85	44(2)(c) The Minister may regulate plumbing.
		45 Plumbing inspections may be undertaken by local municipalities, countries or boards of health.
		48 No municipal by-law regulating plumbing has any effect unless it is permitted under Section 46(1).
Polaris Project	see LAND REGISTRATION	
Police costs	see Area Rate - police	
POLICE POWER	Municipal Act 104	Council may pass by-laws and regulations for the health, safety, morality and welfare of the inhabitants in matters not specifically called for by the Act.
POLICE VILLAGE	Municipal Act 331-356	Various provisions describing the powers of the trustees of a police village. They may be concerned with sidewalks, culverts, road, public utilities, fire protection, parks and certain other matters described in Section 347.
POLICY STATEMENTS	P.A. 3	The first two provincial statements under the Planning Act deal with mineral aggregates and foodlands. Two further policy statements have been circulated for public consultation: they deal with Foodlands and Housing. The subject matter of future policy statements is likely to include Wetlands, Environmental Land Use Compatibility, Shoreline Protection and Northern Ontario.

Subject

Reference

Description and Notes

Pollution	Environmental Protection Act 1(1)(c)	"contaminant" means any solid, liquid, gas, odour, heat, sound, vibration, radiation or combination of any of them resulting directly or indirectly from human activities that may cause an adverse effect.
	see also PUBLIC HEALTH, WATER QUALITY, AIR POLLUTION, AGRICULTURAL POLLUTION, LAKES AND RIVERS, SIGN CONTROL, WASTE MANAGEMENT SPILL, NOISE; CONTROL ORDER	
Ponds	see CONSERVATION (NATURAL ENVIRONMENT)	
Portable sign	see SIGNS	
Preservation of historic buildings	see HERITAGE CONSERVATION	
Preservation of wilderness	see WILDERNESS	
Private Hospital	see HEALTH AND SOCIAL SERVICE INSTITUTIONS	
PRIVATE ROAD	see also MOTOR VEHICLE ACCESS TO PROPERTY	"Private Roads - Planning Guidelines for municipalities" is a pamphlet published by the Ministry of Municipal Affairs and Housing in March, 1982.
- snowplowing		With the repeal of Section 429 of the Municipal Act (R.S.O. 1970), municipalities are now no longer exempt from liability when plowing a private road or unopened road allowance.
Private school	see SCHOOLS - private	
PROPANE FUELLING FACILITY	O/Reg 522/85 (Consumer and Commercial Relations)	The Regulation is the Propane Storage, Handling and Utilization Code. In 1988, planning issues relating to alternative fuel installations were being reviewed. Contact: 585-6230.
Property exempt from taxation	see ASSESSMENT -	
Property standards committee	P.A. 31(11) see also Maintenance and Occupancy Standards	
Prospectus	see FOREIGN LAND SALES	
Provincial interest	P.A. 2, 17(19)(20), 22(5) 34(28) and 46(15)-(17)	
Provincial Land Tax	see UNORGANIZED TERRITORY - assessment	
PROVINCIAL PARK - classification	Provincial Parks Act (Natural Resources)	5 Cabinet may classify provincial parks as natural environmental, nature reserve, primitive, recreational, wild river or some other class of park. (The Planning and Management Policies manual published in 1978 describes six classes in current use: natural environment park, nature reserve, wilderness park, recreation park, waterway park and historical park).
- zoning		7(2) The Minister may designate zones such as: historic zone, multiple use zone, natural zone, primitive zone, recreational zone, etc. (The currently used zones are: historical, natural environment, wilderness, nature reserve, access and development).
- access road		9 The Minister may enter into agreement with a municipality and subsidize the construction and maintenance of a road leading to a provincial park. Approval is required from the Cabinet. Similar arrangements may be made in unorganized territory.
- licence of occupation		20 A licence of occupation may be issued under the regulations to permit mining in a provincial park. However, Cabinet announced on May 12, 1988 that mining would no longer be a permitted use in all classes of provincial park.
- use of land		21 Cabinet may make regulations controlling the use or occupation of land, erection of buildings, structures and signs, etc.
- campgrounds, powerboats, all-terrain vehicles, etc.	O.Reg. 822	Campgrounds, powerboats, all-terrain vehicles, etc. in provincial parks are regulated in Regulation 822 under the Provincial Parks Act.
- policy		A small brochure entitled Ontario Provincial Parks Policy, published by the Provincial Parks Branch, answers four basic questions: What are provincial parks? What do provincial parks try to achieve? What principles guide their management? What is park classification?
PROVINCIAL PLANNING	Ontario Planning and Development Act (Municipal Affairs)	This Act provides for the preparation of a development plan for a provincially defined planning area.
	see also PARKWAY BELT, NIAGARA ESCARPMENT	

Subject

Reference

Description and Notes

Provincial policy	see POLICY STATEMENTS	
Public Garage	see GARAGE	
PUBLIC HALL	Public Halls Act 1 (Attorney General)	"Public Hall" means a building, including a portable building or tent with a seating capacity for over 100 persons that is offered for use or used as a place of public assembly, but does not include a theatre within the meaning of the Theatres Act or a building, except a tent, used solely for religious purposes.
	see also PLACE OF AMUSEMENT	
PUBLIC HEALTH	Public Health Act	<p>7 The duties and responsibilities of the Ministry include to determine whether the existing condition of any premises or the method of manufacture or business process, or the disposal of sewage or other waste or garbage is a nuisance or injurious to health — and to enter upon any premises and make such orders and give such directions with regard to the structural alterations of the premises or with respect to any other matter as the Ministry deems advisable in the interests of public health.</p> <p>9 The Minister may, with Cabinet approval, make regulations for:</p> <ul style="list-style-type: none"> - the removal of nuisances and unsanitary conditions, - directing the alteration or destruction of any building unfit for human habitation, - preventing overcrowding by limiting the number of dwellers on premises, - the sanitary precautions to be taken in health resorts, summer resorts and on boats plying upon inland waters, and for preventing pollution of such waters, - defining, regulating and licensing summer camps, summer resorts and agricultural camps but not including premises commonly known as tourist camps, boarding houses or lodging houses, - prescribing standards for the location, construction, alteration, repair and equipment of premises to be used as dwellings, - defining public swimming pools and regulating or prohibiting their construction, alteration, repair, location, maintenance and use, (see also Section 126 for by-laws regulating public swimming pools), - governing, regulating and restricting the storage, collection and disposal of garbage and refuse in private premises and households. <p>12 The above regulations prevail over any local by-law.</p> <p>17 Every municipality in Ontario must have a local board of health unless it is in a "health unit".</p> <p>40 One or more counties, or a group of municipalities may establish a health unit. Provincial assistance may be provided.</p> <p>117 A medical officer of health or an inspector may enter any premises at all reasonable times and may order that the premises be closed if necessary for health reasons. Provision is made for appeal.</p> <p>134 A medical officer of health or an inspector may enter into a lodging house where he has reason to suspect overcrowding which is deemed unhealthy.</p> <p>138 Where the Ministry reports in writing that water or sewerage works are necessary in the interest of public health, the municipality must forthwith pass all necessary by-laws and undertake the required works without unnecessary delay.</p> <p>145 The council of a city or town may by by-law establish a public slaughterhouse or abattoir.</p> <p>159-166 The Minister may make regulations respecting industry to prevent nuisances and may provide for the inspection of houses and premises in unorganized territory.</p> <p>Schedule B This is a by-law in force in every municipality until altered by council. It deals with location of slaughterhouses, removal of garbage, provision of toilets in restaurants, keeping of swine, etc. The clause providing for fines was deleted in 1974.</p>
- nuisances		
- overcrowding		
- resorts		
- boats		
- water pollution		
- camps		
- building standards		
- swimming pools (public)		
- garbage and refuse (private)		
- local board of health		
- health unit		
- entry on private property		
- lodging houses		
- waterworks, sewerage		
- public slaughterhouses		
- unorganized territory		
Public Hospital	see HEALTH AND SOCIAL SERVICE INSTITUTIONS -	
Public housing	see HOUSING -	

Subject

Reference

Description and Notes

PUBLIC LANDS	Public Lands Act (Natural Resources)	3	Where at least 25% of the frontage on a water body is public, at least 25% of that frontage will be retained for access and recreation. Where less than 25% remains, it will all be retained.
- public reserves		4	Cabinet may make such regulations as are considered necessary to carry out the provisions of the Act, or to meet cases for which no provision is made by the Act.
- zones		12	The Minister may establish zones such as "Open", "Deferred", "Closed", etc. and may regulate and administer the use of public lands accordingly. The Minister may designate areas wherein no resort development may occur except by registered plan of subdivision.
- restricted area		13	In areas without municipal organization the Minister may designate a "restricted area", which gives him control over building permits and land improvements "on such terms and conditions as he considers proper". The Act was amended in 1988 to increase the maximum fine for building without a permit from \$500 to \$5,000.
- work permit		13a	A work permit is required where any activity such as mineral exploration, logging or an industrial operation is to be carried on, or where any improvements are to be constructed, on public lands.
- sale or lease		14-18 and 23	Cabinet may make regulations prohibiting or controlling the sale or lease of public lands for other than agricultural purposes. The letters patent may include conditions re the use of the land. Violation of the conditions may result in forfeiture of the land. Upon cancellation of a sale or lease all buildings become Crown property. (See also 0. Reg. 246/71 re sale and lease).
- land use conditions		19	A licence of occupation is issued by the Minister to permit the occupation of public lands. Subject to the conditions attached to it, the licence carries similar rights as letters patent.
- licence of occupation		25	The written consent of the Minister or of an officer authorized by the Minister is required before depositing any material on public land or water.
- unauthorized filling		36	Means a grant of a freehold or leasehold interest in unpatented public lands.
- Crown grants		45-52	This deals with private and public forest roads. Definition etc.)
- forest roads		54-55	Trees on land disposed of for agricultural purposes remain Crown property until the letters patent are issued.
- trees		57-59	In letters patent issued after 1957 the mineral rights are reserved to the Crown.
- mineral rights		65	Where lands have been granted subject to the condition that a cottage be constructed within 18 months, such condition is void.
- cottage lot condition		68-71	The Minister may construct dams and other water control works, expropriate land, etc.
- dams		246/71	"Cottage" means a building in which facilities are provided for cooking and for shelter for one or more persons living therein as a single and non-profit housekeeping unit. There is no restriction by definition or regulation to differentiate between permanent and seasonal occupancy of a summer resort location. The standard form of lease requires compliance with zoning by-laws and limits the use to a single non-profit housekeeping unit of one cottage and accessory buildings.
- summer resort locations	Ontario Regulation		
PUBLIC PARTICIPATION in plan-making	P.A. 16(b), 17(2), (3), (4) and (7), 28(4)		
- notifications and objections	P.A. 34(12)(16)(17), 45(5) and 47(5)		Guideline 6 in the series of guidelines published by the Ministry of Municipal Affairs is entitled "Official Plan Policies on Public Notice" (August, 1983).
- appeals, public hearings	see DRAINAGE, ENVIRONMENTAL ASSESSMENT; HEARINGS; MUNICIPAL BOARD - appeals; P.A. 31(16) and (18), 33(12), 34(11)-(18), 35(3), 37(4), 40(12), 44(12)-(19), 46(10)-(14), 52(7)-(9); Ontario Planning and Development Act 6(4), 44(6); Municipal Act 14(4) and 301		
Public reserves	see PUBLIC LANDS -		

P

Subject

Reference

Description and Notes

PUBLIC ROAD ALLOWANCES

Surveys Act 57(1)

Every road allowance shown on a registered plan of subdivision is deemed a public road allowance.

A booklet entitled, "Public Road Allowances: A Procedural Guideline" was published by the Ministry of Municipal Affairs and Housing in May, 1981.

Public schools

see SCHOOLS -

PUBLIC TRANSPORTATION
- area rate

Municipal Act

210 (97) Council may operate a public bus transportation system and
(98) may levy a special rate in a defined area to cover any operating deficit.

315(9) Council may designate any land on any road over which the municipality has jurisdiction as a lane solely or principally for use by public transit motor vehicles.

Public Transportation
& Highway Improvement Act

94,95 Various provisions relating to provincial and municipal subsidies. "Public transportation" means any service for which a fare is charged for transporting the public by vehicles operated by or on behalf of a municipality or a local board thereof, or under an agreement between a municipality and a person, firm or corporation and includes special transportation facilities for the physically disabled, but does not include transportation by special purpose facilities such as school buses or ambulances.

Highway Traffic Act 162

Council may prohibit commercial motor vehicles other than buses in the left lane of a highway having 3 or more lanes in each direction and a maximum speed of 80 kilometres per hour or more.

- urban transit
service area

Regional Municipality of
Hamilton-Wentworth Act 53h

The Regional Council shall apply to the Minister of Transportation to have an area within the Region defined as an Urban Transit Service Area. The Region may thereby obtain licensing powers for public transportation within the Area. The Region's eligibility for provincial transportation subsidy may also be improved within the Area.

- reserved lanes

Municipality of Metropolitan
Toronto Act 79a

The Metropolitan council or an area council may set aside reserved lanes for public transit.

see also RAPID TRANSIT;
COMMUTER SERVICES;
PUBLIC VEHICLE

PUBLIC UTILITIES

Municipal Affairs
Act 1(g)

"Public utility" means a waterworks, gasworks, including works for the transmission, distribution, and supply of natural gas, electrical power or energy works, or system for the generation, transmission or distribution of electric light, heat or power, a telephone system, a street or other railway system, a bus or other public transportation system or any other works or system for supplying the inhabitants generally with necessities or conveniences that are vested in or owned, controlled or operated by a municipality or municipalities or by a local board.

Ontario Municipal Board
Act 1(d)
(Attorney General)

"Public utility" means a waterworks, gasworks, including works for the production, transmission, distribution and supply of natural gas, electric heat, light and power works, and telegraph lines, or any works supplying the general public with necessities or conveniences.

- water supply

Public Utilities Act
(Municipal Affairs)

2,4 A municipality may operate waterworks, build reservoirs, divert water bodies to protect the water supply, etc., and may assess the cost of water supply on rateable property in a defined area.

- area rate

6,7 Service pipes from the street line to a building are the property owner's financial responsibility, but under municipal control.

11,25 A municipality may supply water and other utilities beyond its boundaries.

- area rate

14 A special rate may be levied for waterworks debentures on land not more than 100 metres from a water pipe.

- gas, electricity,
etc. and sewerage

17 A municipality may also operate works for gas, electricity, steam or hot water, and sewerage.

23 Passages common to neighbouring owners may be broken up to lay or repair pipes, provided they are restored.

34 Profits from a municipal utility other than hydro must be turned over to general revenue.

37-47 Control of public utilities may be entrusted to a Public Utilities Commission.

54 Where there is sufficient supply, no building along a supply line may be denied the supply.

Subject	Reference	Description and Notes
- transportation and telephones		55 O.M.B. approval may be required to lay main pipes closer than 2 m. to any existing main.
- area rate	Municipal Act 150(2); and 210(51)(f)	63 The operation of a bus, railway, street car or telephone system may be entrusted to a Public Service Commission or to an existing Public Utilities Commission.
	see also AREA RATE	Council may levy a special annual rate in an area to defray the cost of a public utility provided in that area.
PUBLIC VEHICLE	Public Vehicles Act 1(k)	"Public vehicle" means a motor vehicle operated on a highway by, for or on behalf of any person for the transportation for compensation of passengers, or passengers and express freight that might be carried in a passenger vehicle, but does not include the cars of electric or steam railways running only upon rails, taxicabs, nor motor vehicles operated solely within the corporate limits of the urban municipality.
PUBLIC WORKS	Ministry of Government Services Act	This Act provides for provincial public works.
- entry on private property	Public Lands Act 44 (Natural Resources)	12 The Minister or his agents may enter upon any land or use any stream, cut any trees, carry away any earth, divert any pipe or wire, etc., without the owner's consent, for any purpose relative to the use, construction, maintenance or repair of a public work.
	P.A. 1(j), 24	The Minister of Government Services may enter into agreements with the owners of land respecting the erection of public works. These agreements may be registered on title.



Subject

Reference

Description and Notes

Quarry	see MINERAL AGGREGATES	
QUASHING A BY-LAW	Municipal Act 139	A resident of a municipality or an interested person may apply to the Supreme Court to quash a by-law. The application must be made within three months of the publication of the by-law.
QUIET ZONE		The Model Municipal Noise Control By-Law prepared by the Ministry of the Environment contains provisions relating to different types of areas. These include "Residential Area", "Quiet Zone" and "Agricultural Area."
QUIETING ORDER	Municipal Corporations Quieting Orders Act (Municipal Affairs)	A quieting order is an order by the O.M.B. establishing the legal existence or corporate status of a municipality, or establishing its proper area and boundaries in order to quiet doubts affecting them.
QUIETING TITLE - certificate of title	Quieting Titles Act (Attorney General)	This Act provides for the investigation of the validity of titles to property and the subsequent declaration by a Supreme Court judge establishing title. A certificate of title may be issued and registered.

Subject	Reference	Description and Notes
Railway fencing	see FENCES; ABANDONED RAILWAY LINES	
RAILWAY RELOCATION	Railway Relocation and Crossing Act Part I (Transport Canada and Canadian Transport Commission)	<p>Railway facilities in urban areas may be relocated to open the way for urban improvements. The Minister of Transport may pay up to 50% of the cost of preparing an urban development plan, and 50% of the cost of preparing a transportation plan. A financial plan is also required. The plans must have provincial approval before being sent to the CTC with an application for a relocation order or rerouting order.</p> <p>The CTC may issue a relocation or rerouting order to the rail-road company. MOT may make a grant of up to 50% of the net costs of relocation.</p>
RAILWAY GRADE SEPARATIONS	Railway Relocation and Crossing Act Parts II and III (Transport Canada and Canadian Transport Commission)	Special grants and funds are available for the construction of grade separations and railway crossings.
RAPID TRANSIT	Public Transportation & Highway Improvement Act	87 Various provisions relating to provincial subsidies, etc.
RAVINES	City of Scarborough Act, 1986	<p>Council is authorized to pass by-laws regulating the destruction of trees or other natural vegetation, the alteration of contours and the disposal of water in a ravine. A building permit may be withheld until an applicant enters into an agreement if the property includes or affects a ravine. Provision is made for appeals to the OMB.</p>
Receiving Plant for Dead Animals	see RENDERING PLANT	
Record of by-laws effecting land	see INDEX OF MUNICIPAL BY-LAWS	
RECORD OF STREETS, LOTS, ETC.	Municipal Act 210(107)	Every council must keep a record of its streets and lot numbers, showing street boundaries with dimensions.
RECREATION	Municipal Act 208(57)	<p>Council may acquire, build, operate and manage parks, recreational areas, community centres, art galleries, arenas, auditoriums, stadia, museums and other places of recreation or amusement. Money may be borrowed and the cost may be levied on any defined area of the municipality.</p>
	see also SCHOOLS -; ELDERLY PERSONS CENTRE; COMMUNITY CENTRE; PROVINCIAL PARK - Classification; TRESPASS AND OWNER'S LIABILITY	
Redevelopment	see HOUSING; P.A. 28-30	
REFERENCE PLANS	Land Titles Act 149, Registry Act 74, O/Reg. 898(25) (Consumer & Commercial Relations)	A "reference plan" is a plan of survey prepared by an O.L.S. and deposited or recorded in the proper land registry office. A Reference Plan is not a registered plan of subdivision but provides a graphic description of land by designating units of land as "PARTS". These plans do not create new geographic units or designations but make it possible to replace a conventional metes and bounds description by referring to the Parts on the plan.
REFUSE ACCUMULATION	Municipal Act 210(74)	<p>Council may pass a by-law requiring and regulating the filling up, draining, cleaning or clearing of any grounds, yards and vacant lots. A maintenance and occupancy by-law may be more appropriate; see Allen v City of Hamilton reported in 36 MPLR 202.</p>
	see also PUBLIC HEALTH - garbage and refuse; maintenance and occupancy standards	
Refuse disposal	see WASTE MANAGEMENT	
REGIONAL ECONOMIC DEVELOPMENT	Industrial and Regional Development Act (Federal - Regional Industrial Expansion)	<p>Prior to June 30, 1988, the Industrial and Regional Development Program (IRDP) was the federal government's principal means for the delivery of direct financial assistance to industry. At the time of publication, it had been terminated and no substitute had been introduced.</p>
	see also PROVINCIAL PLANNING	

R

Subject

Reference

Description and Notes

REGIONAL MUNICIPALITIES	Regional Municipality of. Act, District Municipality of Muskoka Act, Municipality of Metropolitan Toronto Act, Planning Statute Law Amendment Act, 1983	Each Region has its own specific enabling provincial Act. Established regions include Durham, Halidmand-Norfolk, Halton, Hamilton-Wentworth, Niagara, Ottawa-Carleton, Peel, Sudbury, Waterloo and York. also Muskoka and Toronto. The distribution of planning responsibility between the regional and local level differs between regions.
	see also RESTRUCTURED COUNTIES, DISTRICTS	
Regional Planning	see REGIONAL MUNICIPALITIES, SEWERAGE - regional plan; WATERWORKS - regional plan; PROVINCIAL PLANNING	Refer also to the Ontario Planning and Development Act, which provides for "development plans" in areas defined by the Minister.
REGISTERED PLAN	Land Titles Act 141-145, 152 and 153 (Consumer & Commercial Relations)	Where land is being subdivided for the purpose of being sold or conveyed in lots, the subdivider must register a plan certified by an O.L.S. in the Land Titles or Registry Office. No such plan to which the Planning Act applies may be registered unless approved under the Act. No plan, though registered, is binding unless a sale has been made according to the plan.
- dissolving a registered plan	see JUDGE'S ORDER	
- deeming a registered plan	see P.A. 49(4)	
REGISTRAR'S COMPILED PLAN	Registry Act 77 Land Titles Act 147 (Consumer & Commercial Relations)	The Registrar's Compiled Plan is a bookkeeping tool of the Land Registration System, to facilitate the breaking down of the Abstract Index, in those areas where searching has become costly and time consuming. These plans are prepared largely without benefit of survey, from Registry Office records. Each property in a given area is assigned a compiled plan lot number and the Registrar's Compiled Plan then becomes the visual graphic index for the new Abstract Indexes opened up under these lot numbers. An Index Plan is similar but is prepared under the Land Titles Act.
	see also MUNICIPAL PLAN; JUDGE'S PLAN; REFERENCE PLAN; LAND REGISTRATION	
Regulating	see LICENSING AND REGULATING	
REGULATIONS		Legislation may enunciate general principles which are subsequently interpreted more specifically in the form of Regulations. For instance, under the Planning Act, regulations have been introduced dealing with various notice requirements and with rules of procedure for consents and minor variances. Guideline 5 in the series of guidelines published by the Ministry of Municipal Affairs is entitled "Working with the New Regulations". (August, 1983)
Rehabilitation	see HOUSING -; P.A. 28-30	
RELIGIOUS INSTITUTIONS	Religious Organizations' Lands Act (Attorney General)	"Religious organization" is defined to include all denominations. Provision is made for a religious organization to hold land for any religious purpose.
Relocation Costs	see EXPROPRIATION -	
RENDERING PLANT	Dead Animal Disposal Act (Agriculture and Food)	1(j) "Receiving Plant" means a premises to which dead animals are delivered for the purpose of obtaining the hide, skin, fats, meat or other product of the dead animals or for the purpose of selling or delivering the dead animals or parts thereof to a rendering plant.
		1(k) "Rendering Plant" means a premises at which dead animals are processed into hides, meat, bone meat, meat meal or inedible fats.
		2 This Act does not apply to establishments operating under the Meat Inspection Act (Canada).
	see also SLAUGHTERHOUSES	
Renovation	see BUILDING CODE	
RENT REVIEW	Residential Rent Regulation Act, 1986 (Housing)	Under this Act, rent review applies to virtually all privately-owned residential rental complexes. The Act also establishes a Rent Registry (records maximum rents); a Residential Rental Standards Board (reviews maintenance and occupancy orders) including those passed under section 31 of the Planning Act, and develops minimum maintenance standards; and a Rent Review Hearings Board (hears appeals from Ministry orders).
- Rent Registry		
- Residential Rental Standards Board		
- Rent Review Hearings Board		

Subject

Reference

Description and Notes

	Landlord and Tenant Act (Attorney General)	Part IV of this Act applies to residential tenancies. The Act establishes the right to privacy and security of tenure, prevents the seizure of a tenant's property and requires repairs and maintenance. The Act also specifies procedures whereby a tenancy agreement is terminated for non-payment of rent or other reasons. It also specifies the particular obligations held by landlords of mobile homes.
	Commercial Tenancies Act	Section 131 of the Landlord and Tenant Act provides for its name to change to Commercial Tenancies Act on a date to be proclaimed.
	Residential Tenancies Act	The Residential Tenancies Act, 1979 now only applies to applications received prior to the end of 1986.
Rent Supplement	see HOUSING -	
Rental Housing	see HOUSING -	
Reserved bus lanes	see PUBLIC TRANSPORTATION	
Reservoirs	see CONSERVATION; DRAINAGE; PUBLIC UTILITIES	
Residential Complex	Residential Complex Sales Representation Act 1983 (Consumer and Commercial Relations)	"residential complex" means a building or related group of buildings situated in Ontario in which more than six dwelling units are located and a mobile home park as defined in Part IV of the Landlord and Tenant Act. This Act makes it an offence to sell an interest in a residential complex and imply to the purchasers that they will be entitled to replace the existing tenants as occupants of a dwelling unit or that they are acquiring ownership of a dwelling unit.
Residential rehabilitation	see HOUSING - rehabilitation and conversion; BUILDING CODE - renovation	
Resort subdivision road rate	see HIGHWAY - Township road	
Resource road	see HIGHWAY -	
Restoration of Buildings	see CONSERVATION (cultural); HOUSING - rehabilitation and conversion; OHRP	
Restraining order	see ENFORCEMENT OF BY-LAWS; SUBDIVISION PLAN AREA; MINERAL AGGREGATES -	
Restricted area	see PUBLIC LANDS -	In the 1983 Planning Act, the term "Restricted Area by-law" has been dropped in favour of "Zoning by-law".
RESTRICTIVE COVENANT	Conveyancing and Law of Property Act 61 (Attorney General)	A restrictive covenant may be modified or discharged by order of a judge.
RESTRUCTURED COUNTIES, DISTRICTS	County of Oxford Act (Municipal Affairs)	The County of Oxford was restructured in 1974 and has a limited form of regional government. Some planning functions are at the county level (land division, official plan).
	District of Parry Sound Local Government Act, 1979 (Municipal Affairs)	Townships and towns have been consolidated into larger units but no regional government has been established.
Right of entry	see ENTRY ON PRIVATE PROPERTY	
Road access to property	see MOTOR VEHICLE ACCESS TO PROPERTY	
Road allowance	see PUBLIC ROAD ALLOWANCE	
ROAD ALLOWANCE ABUTTING WATER	Municipal Act 298(3)	If a road allowance on an original survey abuts a lake or leads to water, it may not be closed or diverted without the approval of the Minister of Municipal Affairs.
ROAD CLOSING	Municipal Act 298(1), (11)	Council may pass a by-law to close a road, either permanently or for a specified period of time. The by-law must be approved by the Minister if the road is shown on a subdivision plan registered after March 27, 1946. A registered plan is only binding after the first mortgage or deed has been registered. Prior to that, the subdivider still owns the land and the municipality cannot close the road under this section.

R

Subject

Reference

Description and Notes

	Municipal Act 316, 317	<p>If compensation was paid for a road allowance and the road is subsequently closed and council wants to sell the land, it may set a price and the abutting owners have the first option to buy it.</p> <p>A municipality may wish to open a road allowance as an alternative to the allowance on the original survey. If no compensation is paid for the new allowance, the land owner is entitled to the original allowance or to a cash payment, if he owns no abutting land. If compensation is paid for the new allowance, the abutting owners may purchase the allowance on the original survey.</p> <p>Section 316 was re-enacted in 1987 to include a provision previously in Section 57 of the Surveys Act, dealing with the closing and sale of highways on plans of subdivision.</p>
- temporary closing	<p>Public Transportation and Highway Improvement Act 24(3)</p> <p>Municipal Act 208(44)</p> <p>Municipality of Metropolitan Toronto Act</p> <p>see also JUDGE'S ORDER; UNORGANIZED TERRITORY; HIGHWAY; PEDESTRIAN MALL</p>	<p>A municipality may not open, close or divert a road touching a King's Highway without the consent of the Minister.</p> <p>Council may close a road on a temporary basis for social, recreational, community and athletic purposes.</p> <p>Authority is granted to the Metropolitan Corporation on an annual basis to close part of Yonge Street to traffic from June to September.</p>
Road-leasing of untravell'd portion	see HIGHWAY - leasing, etc.	
Road, private - snowplowing	see PRIVATE ROAD - snowplowing	
Roads on public lands	see PUBLIC LANDS	
ROAD REPAIR	<p>Public Transportation and Highway Improvement Act 104</p> <p>Municipal Act 284,286</p>	<p>The Minister may repair a local road and charge the municipality if the municipality has let the road fall into disrepair.</p> <p>A municipality is responsible for the repair of every road and bridge under its jurisdiction. However, registration of a plan of subdivision does not mean that the roads are automatically assumed by the municipality.</p>
ROAD WIDENING	<p>Public Transportation and Highway Improvement Act 109</p> <p>Municipal Act 298</p> <p>P.A. 40 (7)-(9)</p> <p>see also SET-BACKS; LOCAL IMPROVEMENTS; HIGHWAY;</p>	<p>Agreements may be made by a municipality (other than a city or separated town) for the widening of a highway or county road.</p> <p>Council may pass by-laws for widening, altering or diverting any highway or part of a highway.</p> <p>Road widening may be obtained through site plan control.</p>
ROAD WIDENING (DEFERRED)	<p>Municipal Act 196</p> <p>see also SET-BACKS</p>	<p>Council may provide for the laying out or widening of a street, but defer the work for between 3 and 10 years. The required land is vested in the corporation but the owner may retain temporary possession. Except as otherwise ordered by the O.M.B. compensation is not payable till the day of entry. The Expropriation Act does not apply.</p>
ROAD WIDTH	Municipal Act 306	<p>No road of less than 20 metres may be laid out without the approval of the Minister of Municipal Affairs, or of a council with delegated authority.</p>
Rock festival	see OUTDOOR FESTIVAL	
Rooming house	see LODGING HOUSE	
Rubbish on vacant lots etc.	see REFUSE ACCUMULATION	
Rules of procedure	see HEARINGS, REGULATIONS	
Rural housing programs	see HOUSING -	

Subject	Reference	Description and Notes
SAFETY ZONE	Municipal Act 210(124)	Council may set aside safety zones near bus or street car stops and prohibit cars from driving over them while a pedestrian is in one or entering one.
Sale or lease of public land	see PUBLIC LANDS - sale or lease	
Salvage yards	see JUNK YARDS	
Sand and gravel	see MINERAL AGGREGATES; BEACHES AND SHORES	
Sanitaria	see HEALTH AND SOCIAL SERVICE INSTITUTIONS	
Sanitary landfill	see LANDFILL; WASTE MANAGEMENT	
School attendance	see SCHOOLS -	
School pupils from mobile homes	see TRAILERS; TRAILER CAMPS	
SCHOOLS - private	Education Act	1(1)40 "Private School" means an institution at which instruction is provided at any time between the hours of 9 a.m. and 4 p.m. on any school day for five or more pupils who are of or over compulsory school age in any of the subjects of the elementary or secondary school courses of study and that is not a school as defined in this section (i.e. not a public, separate or secondary school).
- site		1(1)53 "School Site" means land or interest therein or premises required by a board for a school, school playground, school garden, teacher's residence, caretaker's residence, gymnasium, offices, parking areas or for any other school purpose.
- attendance		20(2) A child is excused from attendance at school.....if transportation is not provided by a board for the child and there is no school that he has a right to attend situated within 1.6 km. from his residence if he is under seven, within 3.2 km. if he is under ten, or within 4.8 km. if he is ten or over. 38 If a child lives more than 3.2 km. from school and no bus transportation is provided closer than 0.8 km. from home, he (she) may attend a school in an adjoining school section if it is closer.
- recreational use		150(1)9 A school board may operate the school ground as a park or playground and rink. 150(1)22 A school board may permit the school buildings and premises to be used for any educational or other lawful purpose. 150(1)42 Where a recreation committee has been appointed in unorganized territory, a school board may exercise the powers of a municipal council to levy rates and collect taxes for the purposes of the recreation committee.
- recreation in unorganized territory		160 A school board may enter into agreements for shared use of facilities for cultural, athletic, educational, administrative or other community purpose, including community recreation centres.
- shared use		10(1)29 The Minister may make regulations governing the transportation of pupils. 163 A school board <u>may</u> provide transportation to and from school.
- transportation		1(c) "Private vocational school" means a school or place at which instruction in any vocation is offered or provided by class room instruction or by correspondence, other than a college of applied arts and technology, a university recognized by the Ministry of Colleges and Universities or course of instruction maintained under any other act of the Legislature.
- private vocational	Private Vocational Schools Act (Colleges and Universities)	
- mobile homes	see TRAILERS (Mobile homes)	
Secondary Highway	see HIGHWAY -	
Self-service gas station	see SERVICE STATIONS - self-service	
Semi-detached dwelling	see HOUSING -	
Senior citizen	elderly person	
Separation distance	see LAND USE COMPATIBILITY; AGRICULTURAL POLLUTION	

S

Subject

Reference

Description and Notes

SEPTIC TANK	Environmental Protection Act Regulation 374/81 see also SEWERAGE; PUBLIC HEALTH -	A fact sheet is available from the Ministry of the Environment. It describes the minimum standards for septic tank system design, including location standards relative to buildings, water bodies and property lines.
SERVICE STATIONS	Municipal Act 210	<p>151 An "automobile service station" means a building or place where gasoline, oil, grease, anti-freeze, tires, tubes, tire accessories, electric light bulbs, spark plugs and batteries for motor vehicles are stored or kept for sale, or where motor vehicles may be oiled, greased, or washed, or have the ignition adjusted, tires inflated or batteries charged, or where only minor or running repairs essential to the actual operation of motor vehicles are executed or performed.</p> <p>Council may regulate service stations in defined areas but this power does not permit the location of a service station contrary to a zoning by-law.</p> <p>152 Council's authority to limit the number of service stations and of public garages was taken away when the repeal of Subsection 152 became effective on July 1, 1988.</p>
- self-service	Gasoline Handling Act (Consumer & Commercial Relations)	<p>1(n) "Retail outlet" means any premises at which gasoline or an associated product is sold and is put into the fuel tanks of motor vehicles or into portable containers;</p> <p>Among other matters, the regulations pursuant to this Act state that self-service gasoline stations must be approved by the Ministry. The Ministry consults with the local municipality before approving an application.</p>
SET-BACKS	Municipal Act 197 see also HIGHWAY - King's Highway; OBSTRUCTION OF VIEW	Council of a local municipality may establish a minimum building line set-back from a highway, as a preliminary step to widening the highway. Such a by-law requires O.M.B. approval. The required set-back may not exceed 6 metres, except that for the purpose of carrying out an official plan or of improving the appearance or utility of a highway, the O.M.B. may authorize greater set-backs.
Sewer and water levy	see IMPOSTS	
SEWERAGE	Environmental Protection Act	<p>62 "Sewage system" is defined. The definition was changed in 1983.</p> <p>64 No building may be constructed, enlarged or altered if such action affects the operation of the sewage system unless a certificate of approval has first been issued by the Ministry of the Environment. Similarly, no sewage system may be installed or altered without a certificate.</p> <p>67 No person shall use a new sewage system without first obtaining a permit.</p> <p>68 An order may be issued against persons operating in contravention of the certificate or permit requirements. If ignored, the work may be undertaken and charged to the owner.</p> <p>69 No person may construct, clean, repair or empty a sewage system without a licence.</p>
- certificate of approval		
- subdivision, consent		<p>70 A municipality may enter into agreements with the Minister providing for the issuance of certificates of approval, or permits, or for the making of orders or the carrying out of inspections respecting sewage systems proposed with applications for plans of subdivision or condominium or for consents or minor variances.</p>
- approval fee		<p>71 Applications for approval of plans of subdivision or condominium may be subject to a fee for inspection and a certificate of approval. The fee would be set by the municipality by agreement with the Minister. Consent and minor variance applications may be subject to the fee, where they are sent to the municipality by agreement with the Minister. No application is subject to this fee if a sewage works has been approved under Section 24 of the Ontario Water Resources Act to serve the land, or if it is otherwise exempted by regulation. Applications for consent and subdivision approval are exempt from the fee if the lots are larger than 4 hectares. Consent applications are also exempt if the transaction is within the immediate family or where the land is owned by someone deriving their chief income from farming.</p>

Subject	Reference	Description and Notes
	Municipal Act 210	77,78 Council may regulate sewage and drainage and may operate sewerage systems.
		147 It may prohibit and regulate the discharge of waste into sewers.
- special charges	Municipal Act 215	With OMB approval, council may impose special charges on development that may impose a heavy load on the sewer or water system.
- area rate	Municipal Act 218	(11)-(16) Subject to O.M.B. approval, council may impose a sewer rate on occupants of land who may derive a benefit from sewage works to be constructed. The rate applies only to capital costs and no part of that capital cost may then be assessed under the Local Improvement Act. Lands deriving a deferred benefit may be included as well as those deriving immediate benefit.
		(17) Council may also establish a sewage service rate, notwithstanding the work may have been constructed under the Local Improvement Act.
	Municipal Act 219	Owners of buildings may be required by by-law to connect their buildings with the sewage works.
- public utility commission	Municipal Act 220	The management of a sewerage system may be entrusted to a public utility commission.
	Ontario Water Resources Act (Environment)	24-32 No sewage works may be constructed or enlarged without a prior permit from the Ministry. Before a municipality extends a sewage works into an adjoining territory, the Minister will hold a public hearing. Application may be made to the O.M.B. for an order for needed road closings, etc. Agreements may be made between the municipalities for the use of the sewage works. The O.M.B. may order an amendment to an O.P. or zoning by-law to permit the use of land for sewage works. Sewage works must always be maintained to the satisfaction of the Ministry.
- project		34 Municipalities may apply to have the Minister build and operate a sewage works as a project.
		43 A public sewage service area may be designated by the Ministry and conditions may be imposed in order to regulate, provide or require sewage service in the area.
- boats		44 The Minister may make regulations relating to sewerage, etc. (see Regulation E.P.A. 305: pleasure boat sewage discharge).
		51,52 An industrial or commercial enterprise may be required by the Ministry to install necessary sewerage facilities and any discharge into sewage works may be prohibited or regulated.
- loans, grants	National Housing Act Part VIII	50 C.M.H.C. may make loans to assist in the construction or expansion of a sewage treatment project. (Maximum 2/3 of the cost). Alternatively, a grant may be made, not exceeding 25% of the amount of the loan which could have been made.
- regional plan		52 C.M.H.C. may subsidize up to 50% of the cost of preparing a comprehensive regional sewerage plan.
	see also LOCAL IMPROVEMENT; PUBLIC UTILITIES; PUBLIC HEALTH; COMMUNITY IMPROVEMENT; ODOURS	
SHOP	Occupational Health and Safety Act 1(25)	"Shop" means a building, booth or stall or a part of such building, booth or stall where goods are handled, exposed or offered for sale or where services are offered for sale.
	see also EARLY CLOSING BY-LAWS	
Shopping area - beautification	see BUSINESS IMPROVEMENT AREA	
Shoreland	see BEACHES AND SHORES; LAKES AND RIVERS	
SIDEWALKS	Public Transportation & Highway Improvement Act	106 A local municipality may construct sidewalks and other improvements with the written consent of the authority having jurisdiction over the road. The cost may be borne out of general funds or by local improvement or be paid by the authority having jurisdiction.
- local improvement	see also HIGHWAY - county road	

SIGNS	Municipal Act 210 (141-144)	Council may prohibit or regulate signs and may require that non-complying signs be removed.
		Provision may be made for temporary signs, to be removed after a stated period.
		Minor variances from sign by-laws may be granted by the Municipal Council.
	Municipal Act 309(3)	Council may permit signs to project over the sidewalk.
	Public Transportation & Highway Improvement Act 34,38	The Minister has authority to control signing on property within 400 metres of a provincial highway. (See the Ministry's "Sign Control Policy for Field Advertising and Location Signs", available from the Transportation Corridor Management Office (235-3658).
- portable sign		"portable sign" means a sign or advertising device that is not permanently attached to the ground, a building or a structure or that is designed to be moved from place to place.
		The Minister is authorized to require the removal of portable signs which contravene the Act, and to cause their removal if the sign owner or property owner fails to comply within 5 days.
- traffic signs	P.A. 40(7)(a)2	Traffic direction signs on private property may be required as a condition of site plan approval.
	Building Code Act O. Reg. 925/75	Section 3.8 deals with structural and safety requirements for signs. Overhanging signs must be at least 8 feet clear of a sidewalk.
	see also TOURIST ESTABLISHMENTS; HIGHWAYS - gas pumps, - signs; OBSTRUCTION OF VIEW	
Site Plan Control	P.A. 40(2)(3)	Guideline 9 in the series of guidelines published by the Ministry of Municipal Affairs is entitled "Official Plans and the Use of Site Plan Control" (August, 1984).
Site plan agreement	P.A. 40(7)(c)	
SITE PLANNING	Canada Mortgage and Housing Corporation	C.M.H.C.'s "Site Planning Criteria" contains requirements applied in the review of applications submitted under The National Housing Act, as well as recommended standards designed to contribute to good project design. It includes criteria and standards relating to such matters as housing location relative to other uses, amenity areas and privacy zones for multiple housing, planting and public open space, parking area design, etc. The requirements are now only mandatory for social housing.
	see also BUILDING CODE - Ontario Building Code, Part 9	
SLAUGHTERHOUSES	Municipal Act 210(34)	Council may prohibit or regulate and inspect slaughterhouses and may prohibit anyone other than a farmer from slaughtering animals on his own premises.
	see also PUBLIC HEALTH - SCHEDULE B; RENDERING PLANT	
Smells	see ODOURS	
Snowmobile	see MOTORIZED SNOW VEHICLES	
Snowplowing-private road	see PRIVATE ROAD - snowplowing	
Snow road	see FENCES	
Soil stripping	see TOPSOIL REMOVAL	
Solar access	see ACCESS TO LIGHT AND AIR	
Solid waste	see LANDFILL	
Special Care Homes	see HEALTH AND SOCIAL SERVICE INSTITUTIONS - home for special care	
SPILL	Environmental Protection Act 79-112	Part IX of the Act deals with the abnormal discharge of a pollutant into the natural environment and with the prevention, clean-up and restoration of the natural environment. It also deals with liability for loss or damage arising out of a spill and with liability for the costs and expense of prevention, clean-up and restoration.
	see also ADVERSE EFFECTS	

Subject

Reference

Description and Notes

Stables	see GARAGES	
STATUTE LABOUR	Statute Labour Act 3,4 (Transportation; Municipal Affairs	Applies in every township that has not passed a by-law abolishing statute labour. Every person on the assessment roll is liable to days of statute labour in proportion to his assessment. It may be commuted at not more than \$3 per day. In unincorporated areas, road commissioners may be elected for statute labour purposes and to open roads.
Stop order	see CONTROL ORDER	
Storm drainage	see DRAINAGE	
Strata plan	see CONDOMINIUM	
STRATEGIC LAND USE PLAN		The Ministry of Natural Resources has prepared a series of plans stating in very broad terms how it wishes to use or influence the use of Crown land to meet its objectives. In southern Ontario a strategic land use plan is called a "Co-ordinated Program Strategy" to differentiate it from a land use plan prepared by a municipality. Three existing strategies cover southern Ontario, the north-east and the north-west. Individual plans or strategies cover each district within these areas. They are called "District Land Use Guidelines."
Street	see LOCAL IMPROVEMENT ACT; HIGHWAY; ROADS...	
Street Lighting	see HYDRO-ELECTRIC POWER; LOCAL IMPROVEMENTS	
STREET NAMES	Municipal Act 210(105)	Council may name streets and change their names, by by-law, and may affix the names at street corners on public or private property.
Strip club	see ADULT ENTERTAINMENT	
Student housing	see HOUSING -	
SUBDIVISION AGREEMENT	P.A. 50(5)(d) and 50(6); Municipal Act 166	A model subdivision agreement for a small municipality has been prepared by the Ministry of Housing in 1979. It was re-issued by the Ministry of Municipal Affairs in 1985.
Subdivision control	P.A. 49(3)	"Subdivision Control in Registered Plans" discusses deeming and part-lot control. "Subdivision/Condominium Approval Procedures: A Guide for Applicants" was published in September, 1986. It is available from the Ontario Government Bookstore for \$2.
SUBDIVISION PLAN	Surveys Act (53) (Natural Resources) see also P.A. 50; PUBLIC LANDS - subdivision; REGISTERED PLAN	In this Act, a "plan of subdivision" means a plan of subdivision that is registered under the Land Titles Act or under the Registry Act.
SUBDIVISION PLAN AREA - restraining order	Registry Act 86 (Consumer & Commercial Relations)	The Director of Land Registration may issue a "Restraining Order" designating any area of land as a "subdivision plan area" and thereupon no land may be conveyed except in compliance with subsection 3 of Section 49 of the Planning Act.
SUBDIVISION ROAD SUBSIDY	Public Transportation & Highway Improvement Act 82	In general, the construction of new roads in subdivisions is not subsidized, since the developer normally builds these roads. However, in exceptional circumstances, a road may be designated as a main traffic artery and the municipality's expenditure may be eligible for subsidy.
Suburban road	see HIGHWAY -	
Suburban subdivision road rate	see HIGHWAY - township road	
Summer camp	see PUBLIC HEALTH - camps	
SWIMMING POOLS - fences - zoning - public pools	Municipal Act 210(23) Planning Act 34 Public Health Act 9(36)	Council may pass a by-law to require fencing of private outdoor swimming pools. A pool is a structure and is regulated as such in several municipal zoning by-laws. The Minister may make regulations regarding location, maintenance, use, etc.

Subject

Reference

Description and Notes

Tannery	see INDUSTRIAL NUISANCE	
Tax arrears	see LANDS IN TAX ARREARS	
Taxation	see ASSESSMENT; PROVINCIAL LAND TAX	
TELEPHONE	Telephone Act (Culture and Communications)	This Act applies to municipal subscriber-owned systems, public utility telephone systems and privately-owned industrial telephone companies, other than Bell Telephone.
Temporary use by-law	P.A. 38	
TERMITE CONTROL	Municipal Act 210(173,174)	
Territorial division	see BOUNDARIES	
Tertiary road	see HIGHWAY -	
Tile Drainage	see DRAINAGE	
Timber	see Trees	
TOP SOIL REMOVAL	Topsoil Preservation Act (Agriculture and Food)	1(b) "Topsoil" means that horizon in a soil profile, known as the "A" horizon, containing organic material.
		2 Councils of municipalities may pass by-laws regulating or prohibiting the removal of topsoil, and providing for the issuance of permits and requiring rehabilitation of lands from which topsoil has been removed. These by-laws do not apply to agricultural operations, sod farming, or the removal of topsoil incidental to activities authorized under the Pits and Quarries Act, the Mining Act, etc. and they may not be used to inhibit construction of development specifically permitted under the Planning Act, the Parkway Belt Planning and Development Act or the Niagara Escarpment Planning and Development Act.
TOPOGRAPHIC MAPS	see also ONTARIO CO-ORDINATE SYSTEM	The Ontario Basic Mapping Program is established to provide simple, generally unannotated maps on the grid system chosen by the Ontario Government for geographical referencing purposes (M.N.R.: telephone 733-5090).
TOURIST ESTABLISHMENTS	Tourism Act (Tourism & Recreation)	1(1) "Tourist establishment" means any premises operated to provide sleeping accommodation for the travelling public or sleeping accommodation for the use of the public engaging in recreational activities, and includes the services and facilities in connection with which sleeping accommodation is provided, but does not include: - 1 a camp operated by a charitable corporation approved under The Charitable Institutions Act, or 11 a summer camp within the meaning of the regulations made under the Public Health Act, or 111 a club owned by its members and operated without profit or gain. 3 No tourist establishment may be constructed or altered without a permit which must conform with the regulations. An annual licence is also required for all establishments. 12 No sign may be displayed which does not comply with the regulations. 16 The Minister may make regulations regarding...the content of signs respecting tourist facilities, governing the plans and specifications of tourist establishments, etc.
- signs		
- tourist camps	see TRAILER AND TOURIST CAMPS AND MOTELS	
TOWN PLOT		It is not always clear if a lot on a town plot is a lot on a registered plan within the meaning of the Planning Act. Lawyers for vendors and purchasers must determine in each instance if they are conveying and receiving good and marketable title.
Townsend community	see ONTARIO LAND CORPORATION	
Township road	see HIGHWAY -	
TRAFFIC	Municipal Act 210(117) Highway Traffic Act	Council may prohibit heavy traffic as defined in the by-law. 169 A by-law for regulating traffic must be filed with the Ministry. If it affects traffic on a connecting link, it must be approved by the Ministry.

Subject	Reference	Description and Notes
		97-108 Heavy vehicles may be caused to obtain a permit to use certain roads.
TRAILERS (Mobile homes)	Education Act	227 "Trailer" and "Trailer Camp" or "Trailer Park" are defined but the definition includes a vehicle more properly called a "mobile home" (See MOBILE HOME herein).
- school fees		A municipality which collects licence fees from "trailers" must pay a proportion of those fees to the school boards, in the same proportion as school taxes bear to total taxes. This does not apply to municipally operated "trailer camps".
		228 In unorganized territory, a fee of \$5 per month is payable by a trailer occupant to the local public or separate school board, except in July and August and \$5 per month is payable to the secondary school board. No fee is payable if the "trailer" is assessed under the Assessment Act.
TRAILER AND TOURIST CAMPS AND HOTELS	Municipal Act 232(15)	Council may regulate and license tourist camps, trailer camps and motels. Minimum trailer lot sizes may be prescribed. Licence fees not exceeding \$20 per month per lot may be charged, unless the lot is occupied temporarily by people whose normal place of residence is elsewhere, or unless the trailer is assessed.
	Municipal Act 210	95 A trailer is defined as any vehicle so constructed that it is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle, and capable of being used for the living, sleeping or eating accommodation of persons, notwithstanding that such vehicle is jacked-up or that its running gear is removed.
- licences		Trailers may be licensed for a fee not exceeding \$20 per month, provided they are not assessed under the Assessment Act. This provision really applies to mobile homes which are not in a municipally licensed trailer park.
- municipal trailer camps		96 Municipal trailer camps may be established, fees may be charged and the corporation must reimburse the school boards for each pupil residing in a trailer, unless that "trailer" is assessed and taxed under the Assessment Act.
TRAILERS (Tow trailers)	Highway Traffic Act 1(1)38	Note that the following definition includes a boat trailer, skidoo trailer, u-haul, etc. but NOT a mobile home: "Trailer" means a vehicle that is at any time drawn upon a highway by a motor vehicle, except an implement of husbandry, a mobile home, another motor vehicle or any device or apparatus not designed to transport persons or property, temporarily drawn, propelled or moved upon such highway, and except a side car attached to a motorcycle, and shall be considered a separate vehicle and not part of the motor vehicle by which it is drawn.
TRANSIENT ACCOMMODATION	Retail Sales Tax Act 1(24) (Revenue)	"Transient accommodation" means the provision of lodging in hotels, motels, hostels, apartment houses, lodging houses, boarding houses, clubs and other similar accommodation, whether or not a membership is required for the lodging, but does not include lodging let for a continuous period of one month or more or lodging in a lodging house, rooming house, or boarding house, if such house has accommodation for fewer than four tenants.
TRANSMISSION LINE	Ontario Energy Board Act 1(21) (Energy)	"Transmission line" means a pipe line, other than a production line, a distribution line, a pipeline within an oil refinery, oil or petroleum storage depot, chemical processing plant, or pipeline terminal or station.
TRANSMISSION POLES, WIRES	Municipal Act 210(108) and (111)	Council may regulate the erection and maintenance of poles, wires, cables, etc. on highways and public places. This does not, however, confer a power of taxation. (See Coaxial Colorview Ltd. et al vs. Borough of Scarborough, 1974).
	see also HYDRO-ELECTRIC POWER	
Transportation	see PUBLIC TRANSPORTATION; RAPID TRANSIT; COMPUTER SERVICES; HIGHWAY	
TREES	Forestry Act (Natural Resources)	Provides for furnishing trees to individuals and municipalities and agreements for the Crown to manage forest lands. (Agreement forest).
	Public Transportation & Highway Improvement Act	30 The Ministry may plant trees upon the King's Highway and charge the cost to maintenance. No person may destroy or injure any tree within the limits of a highway, except with the Ministry's consent. The Ministry may subsidize tree planting adjoining a highway.

T

Subject

Reference

Description and Notes

- obstructions

34 and
38(2)b No person may place a tree or shrub within 45 metres of a King's Highway or a controlled access highway or 180 metres of an intersection except under permit from the Minister.

107 A municipality or suburban roads commission may plant trees on its roads and charge the cost to maintenance.

Municipal Act 313

Council may authorize the planting of trees on highways and subsidize such planting by individuals.

Conservation Authorities Act (Natural Resources)

21(o) A Conservation Authority is empowered to plant and produce trees on Crown or other lands.

Trees Act (Natural Resources)

The general purpose of this Act is to prevent the destruction of trees in the agricultural areas of Ontario.

2 Trees planted on a lot boundary are common property of adjoining owners.

4 County council or the council of a separated municipality may regulate and restrict the cutting of trees, with the Minister's written approval. The September, 1985 issue of Municipal World describes a court decision quashing a by-law requiring a permit before trees may be cut.

5 A number of exceptions are cited to the application of section 4. One of these is that it does not affect the destruction of trees in order to erect a building for which a building permit has been issued.

7-12 Councils may acquire and maintain land for forestry purposes and may encourage reforestation on private property by granting exemption from general taxation and by planting and fencing at municipal expense.

Crown Timber Act (Natural Resources)

This Act deals with the sale of Crown timber, the issuance of licences to cut Crown timber, the requirements for forest management plans, operating plans, annual plans and inventories, the licensing of mills, etc.

see also PUBLIC LANDS -;
LOCAL IMPROVEMENTS;
OBSTRUCTION OF VIEW; RAVINES;
WOODLANDS; P.A. 40(7)(a)6

"Urban Tree and Forest Legislation in Ontario" is a comprehensive work published in 1978 by the Great Lakes Forest Research Centre, Department of the Environment, Box 490, Sault Ste. Marie, Ontario P6A 5M7.

TRESSPASS AND OWNER'S LIABILITY

Trespass to Property Act (Attorney General)

These Acts set out the basic duty of care for landowners, requiring them to do what is reasonable in all circumstances to see that persons entering their property are not injured by the conditions of the premises or by the activities on the premises. However, provisions are included to protect owners wishing to permit recreational use of their property.

Occupier's Liability Act (Attorney General)

Subject

Reference

Description and Notes

Underground wiring	see HYDRO-ELECTRIC POWER -; TRANSMISSION POLES, WIRES	
UNFINISHED BUILDING	Ontario Building Code 2.6 see also BUILDING CODE - occupation of new building	The Building Code deals with the occupancy of unfinished buildings.
UNORGANIZED TERRITORY	Public Hospital Act 1(t)	In this Act "unorganized territory" means those parts of Ontario that are without municipal organization, including Indian reservations and provincial parks, but not including property of the Government of Canada used for the purposes of national defence installations, camps or stations.
	Municipal Act 1.26	"Unorganized territory" means that part of Ontario without county organization.
- roads	Public Transportation and Highway Improvement Act 91	The Minister may arrange with a local roads board or with road commissioners or a landowner to construct and maintain a road in unorganized territory.
	Municipal Act 319	1 Road allowances in unorganized territory are Crown Land. The Lieutenant Governor in Council (i.e. Cabinet) may close, alter, divert, sell or lease them.
- assessment	Provincial Land Tax Act (Revenue)	This Act deals with the assessment and taxation of all land situated in territory without municipal organization.
- exempt lands		3 Categories of exempt lands are described (similar to exempt properties under the Assessment Act).
- assessed value		4 The assessed value of land for the purposes of the Act is the price that it might be expected to bring if offered for sale on the open market by a person who is solvent.
- Provincial Land Tax Register		6 Assessment information on unorganized territory is kept in the Provincial Land Tax Register.
- building permit		The requirement for a permit under the Building Code Act does not apply in unorganized territory. However, a permit is required under the Public Lands Act in designated "restricted areas".
	see also PUBLIC HEALTH -; LOCAL ROADS BOARD: P.A. 19 & 22; PUBLIC LANDS - restricted area; SCHOOLS - ; COMMUNITY CENTRE -	
UNSAFE BUILDINGS	see BUILDING CODE - abandoned buildings	
Urban design	see BUSINESS IMPROVEMENT AREAS	
Urban drainage	see DRAINAGE	
URBAN RENEWAL	National Housing Act Part III	25.1 Federal urban renewal funding has been cut off for all projects except those underway prior to February 1, 1973.
	see also P.A. 28-32; Maintenance and occupancy standards; COMMUNITY IMPROVEMENT	
URBAN SERVICE AREA	Municipal Act 14(8)-(10)	The O.M.B. may define urban services and cost of urban services and may establish urban service areas in a municipality enlarged by annexation or amalgamation. The Board may determine how the cost of providing urban services is to be distributed on lands in the municipality.
Urban transit Service area	see PUBLIC TRANSPORTATION	
Utilities	see PUBLIC UTILITIES	
UTILITY LINE	Ontario Energy Board Act 1(23) (Energy)	"Utility line" means a pipeline, a telephone, telegraph, electric power or water line, or any other line that supplies a service or commodity to the public.

V

Subject

Reference

Description and Notes

VACANT BUILDINGS	City of Toronto Act, 1988	The Toronto city council has authority to deal with vacant buildings which pose a fire or safety problem.
VACANT LAND CONDOMINIUM	Condominium Act 3(1) and 4(1)(e) (Consumer and Commercial Relations)	The existing legislation does not allow this form of development. The Condominium Act requires a declaration which must contain a description, including a certificate of a surveyor that the buildings have been constructed.
VALIDATION OF LOTS	P.A. 56	A pamphlet entitled "Validation Guidelines" has been produced by the Ministry of Municipal Affairs and Housing. It pertains to lots created in contravention of the Planning Act prior to March 19, 1976.
VEHICLE	Highway Traffic Act 1(1)39 see also MOTOR VEHICLE ACCESS TO PROPERTY	"Vehicle" includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a motorized snow vehicle or the cars or electric or steam railways running only upon rails.
Veteran's Housing	see HOUSING	
VETERANS' LAND	Veteran's Land Act (Veterans' Affairs Canada)	Designed to assist war veterans to settle as full or part-time farmers or as commercial fishermen, this Act provides financial assistance to qualified veterans. The minimum lot area quoted in the Veterans' Land Regulations is one half acre, which may in some cases be reduced by 20%.
Visual pollution	see AESTHETICS	
Vocational Schools	see SCHOOLS -	

Subject

Reference

Description and Notes

Walkways	P.A. 40(7)(a)4; see also BICYCLE AND FOOTPATHS	
Waste disposal sites	see WASTE MANAGEMENT	
WASTE MANAGEMENT	Environmental Protection Act Part V	<p>24 "Waste" includes ashes, garbage, refuse, domestic waste, industrial waste, municipal refuse, etc.</p> <p>26-27 No waste management system or waste disposal site may be established or enlarged without a certificate of approval.</p> <p>28 No money may be spent by any municipality for waste disposal without a certificate of approval.</p> <p>29 The Minister may tell a municipality to institute a waste collection or management system.</p> <p>30-31 Where a waste disposal site application involves disposal or hauled liquid industrial or hazardous waste or any other waste that is the equivalent of domestic waste for more than 1500 people, a public hearing must be held by the Environmental Assessment Board, unless the situation is deemed to be an emergency.</p> <p>34 No certificate of approval may be issued unless the applicant deposits sufficient funds to ensure satisfactory maintenance of the site or system. Municipal waste disposal sites and systems may also be subject to public hearings.</p> <p>38 A certificate may be refused, suspended, altered, etc. or the terms and conditions may be altered if the Director considers the site or system may create a nuisance, result in a hazard or otherwise not comply with the Act or regulation.</p> <p>39 No waste may be deposited except on a waste disposal site.</p> <p>45 No use is to be made of land previously used for waste disposal until 25 years after the site closure, unless approved by the Minister.</p> <p>46 Reference is also made to waste disposal wells and to compensation for pollution through such wells.</p>
- waste disposal wells		
- types of waste	Regulation 309 (E.P.A.)	<p>2,3 The following types of waste are defined: agricultural wastes, condemned animals, derelict motor vehicles, hauled liquid industrial waste, hauled sewage, hazardous waste, incinerator waste, inert fill, processed organic waste and rock fill or mill tailings from a mine.</p> <p>In March, 1983, the Ministry published an "Interim Guideline for the interpretation of the Hazardous Waste Definition (Regulation 309)".</p>
- hazardous waste		
- waste disposal sites		<p>4 The following types of waste disposal sites are listed and described: composting sites, derelict motor vehicle sites, dumps, grinding sites, incineration sites, landfilling sites, on-site incinerators, on-site garbage grinders, organic soil conditioning sites, packing and baling sites and transfer stations.</p> <p>In reviewing proposals for land use on or near non-operating landfills and dumps, MOE staff refers to a guideline entitled "Land Use on or Near Landfills and Dumps" (1987).</p>
- waste management systems		<p>6 The following waste management systems are classified: municipal waste management systems, private waste management systems, individual collection systems, hauled liquid and hazardous waste collection systems, marine craft waste disposal systems and organic waste management systems.</p>
- standards		<p>8-13 Standards are prescribed for land-filling sites, incineration sites, dumps, organic soil conditioning sites, derelict motor vehicle sites and waste management systems.</p>
- county council	Municipal Act 209a	<p>Bill 201, given first reading on January 12, 1989, is designed to allow a county council to assume power over waste management.</p>
- area rate	Municipal Act 210	<p>83-85 Council may establish a system of garbage collection and disposal, with the approval of the Ministry of Health, and may acquire land for a disposal site in another municipality, by agreement or else with O.M.B. approval, and may levy a special rate for garbage disposal purposes.</p>
- garbage dumps		<p>129 Council may prohibit or regulate and inspect garbage dumps or waste disposal areas of any kind. (This authority is not abrogated by the Environmental Protection Act, see Raes vs Township of Plympton, 1971).</p> <p>The Region has exclusive authority over waste disposal.</p>
	Regional Municipality of Waterloo Act 169	

W

Subject

Reference

Description and Notes

WATER CANALS IN SUBDIVISIONS	Municipal Act 216	Council may accept conveyance of lands in registered plans of subdivision for water canals and may maintain these canals. The cost of maintenance may be apportioned on surrounding property. The use of the canals may be regulated and boat speed limits may be set. Abutting owners may be permitted to construct docks or slips and may be charged an annual fee.
Water control	see CONSERVATION; DRAINAGE; PUBLIC LANDS	
Water management	see CONSERVATION (NATURAL ENVIRONMENT)	
Water pollution	see WATER QUALITY	
Water privilege	see LAKES AND RIVERS -	
WATER QUALITY	Ontario Water Resources Act 14-18 (Environment)	The quality of water may be deemed to be impaired if any material discharged in it may cause injury to any living thing (14). The Minister of the Environment supervises all surface and ground waters. If the quality of a water body is being impaired the Minister may apply for an injunction to prohibit the discharge (15). Pollution of a water body is punishable by a fine of up to \$5,000 for a first offence (16). The discharge of any sewage into any water body may be prohibited or regulated (17), and the Ministry may order that necessary equipment be used to alleviate pollution.
	see also SPILL	
- MISA	O. Reg. 358/88 O. Reg. 359/88	The Municipal/Industrial Strategy for Abatement (MISA) is designed to achieve the "virtual elimination of toxic contaminants in municipal and industrial discharges into waterways" (MOE, June 1986). The first MISA regulation to be promulgated deals with petroleum refinery wastewaters (July 1988).
- pollution of fisheries waters	Fisheries Act 33, 34 (Environment Canada)	The Minister has authority to review the plans for any works that could result in the deposit of deleterious substances in water frequented by fish. The power exists to restrict the operation of a work and to close it.
- pollution from vessels	Canada Shipping Act (Transport Canada)	This Act and its regulations provide for the control of pollution from vessels, as determined to be necessary to fulfill Annexes 4 and 5 of the Great Lakes Water Quality Agreement.
	Canada Water Act (Environment Canada)	This Act provides for federal provincial agreements relating to water resources. Management agencies may be established to plan and carry out programs to restore, preserve and enhance water quality.
	see also PUBLIC HEALTH; LAKES AND RIVERS	
Water resources	see WATER QUALITY; WATERWORKS	
WATER SUPPLY	Ontario Water Resources Act 19, 20	An area may be defined that includes a source of public water supply and no person may swim in it, impair its quality or diminish the amount available. All large water users (over 50,000 litres per day) must obtain a permit from the Ministry. This does not apply to farm or domestic purposes.
	see also WELLS; PUBLIC UTILITIES	
Waterways	see NAVIGABLE WATERS; LAKES AND RIVERS; PROVINCIAL PARKS - classification	
WATERWORKS	Ontario Water Resources Act	23 No waterworks may be started or enlarged without the prior approval of the Ministry.
- projects		34-35 A municipality may apply to the Minister to have him (her) provide and operate its waterworks as a project.
- rate		36 Subject to O.M.B. approval, a waterworks rate and a water service rate may be imposed.
- service area		43 A public water service area may be designated by the Ministry and conditions may be imposed by order to regulate, control, prohibit or provide water service.

Subject	Reference	Description and Notes
- loans, grants	National Housing Act (C.M.H.C.)	50 C.M.H.C. may make loans to any province or municipality for the construction or expansion of water supply systems, in order to encourage comprehensive land use and residential development in previously undeveloped areas. (Maximum 2/3 of the cost). Alternatively, a grant may be made, not exceeding 25% of the amount of the loan which could have been made.
- regional plan	see also PUBLIC UTILITIES; PUBLIC HEALTH; COMMUNITY IMPROVEMENT; REGIONAL MUNICIPALITIES	52 C.M.H.C. may subsidize up to 50% of the cost of preparing a comprehensive regional water supply plan.
Wayside pits	see MINERAL AGGREGATES	
WEED CONTROL	Weed Control Act (Agriculture and Food)	The Act was amended in 1988 and fines were substantially increased.
- entry on private property		6,8 Every county, district and regional municipality must appoint an area weed inspector. Other municipalities may appoint a municipal weed inspector.
		10 For the purpose of searching for noxious weeds, an inspector may enter at any time between sunrise and sunset upon any land and building other than a dwelling house.
		11 An inspector may order the destruction of noxious weeds and the owner must comply. Provision is made for appeal procedures.
		13 If the owner fails to comply, the inspector may destroy the weeds and charge the owner on his tax bill.
- subdivided areas		14 A municipality may direct its inspector to destroy the weeds on any subdivided property and may recover the cost from the owners in the same manner as taxes.
		20 Sections 11 and 14 do not apply to lands so far distant from any agricultural or horticultural use that the weeds would have no material effect on those uses.
		22 Provision is made for provincial regulations and subsidies.
	City of North York Act, 1988	The North York council may require owners and occupants of private property to cut and remove grass and weeds when they exceed a certain height.
WELLS	Ontario Water Resources Act O/Reg. 739	20(7) Leaking wells may be regulated by the Ministry.
		21(1)(f) "well" means a hole made in the ground to locate or to obtain ground water or to test or to obtain information in respect of ground water or an aquifer, and includes a spring around or in which works are made or equipment is installed for collection or transmission of water and that is or is likely to be used as a source of water for human consumption.
		22 In designated areas, a permit is required before a well may be dug. It may be refused for a number of reasons.
WETLAND	Municipal Act 210 (75,82)	Council may pass a by-law to purchase wetland in the municipality and to drain it. Land may also be purchased in an adjoining municipality to prevent flooding.
- policy statement	P.A. 3	A draft of a proposed policy statement and of associated guidelines on the preservation and management of wetlands has been circulated in 1988 for discussion. Contact: 565-6230.
WILDERNESS AREAS	Wilderness Areas Act (Natural Resources)	2 Cabinet may set aside wilderness areas, which are under control of the Minister.
		3 Nothing in this Act limits the utilization of the natural resources in a wilderness area of more than 260 hectares.
		7,8 Regulations may be made for any wilderness area. Contraventions are subject to fines of up to \$500.
	see also PROVINCIAL PARK - classification	
Wiring	see HYDRO-ELECTRIC POWER - underground wiring	
WOODEN BUILDINGS	Municipal Act 210 (32)	Council may prohibit the erection of wooden buildings or wooden additions or fences or the removal of such structures from one place to another.

W

Subject	Reference	Description and Notes
WOODLANDS	Woodlands Improvement Act (Natural Resources)	<div>1 "Woodlands" means lands having at least 1,000 trees per hectare of all sizes or at least 750 trees per hectare over 5 cm in diameter or at least 500 trees per hectare over 12.5 cm in diameter or at least 250 trees per hectare, measuring over 20 cm in diameter, but does not include a plantation established for the purpose of producing Christmas trees.</div> <div>2 The Minister may enter into agreements with owners of suitable lands in a private forest management area for the planting of nursery stock and improvement of woodlands.</div> <div>3 Cabinet may make regulations designating parts of Ontario as private forest management areas.</div> <div>The assessed value of woodlands is not influenced by the presence or removal of trees.</div>
Wrecking yards	Assessment Act 18(7)(8) see also TREES see JUNK YARDS	

Subject

Reference

Description and Notes

Zoning around
airports

see AIRPORT ZONING

Zoning by-law

P.A. 34

Guideline 8 in the series of guidelines published by the Ministry of Municipal Affairs is entitled "Zoning and Other Land Use Controls". (October, 1983)

Zoning in annexed
areas

see ANNEXATION AND
AMALGAMATION - zoning

Zoning in provincial
parks

see PROVINCIAL PARKS -
zoning

Zoning on county
road

see HIGHWAY - zoning

Zoning orders

P.A. 47; see also
PARKWAY BELT -

Guidelines on the administration of zoning orders in unorganized territories were published by the Operations Control Branch, Ministry of Municipal Affairs and Housing, in September, 1981.

Zoning plans on
public lands

see PUBLIC LANDS - zones

Sujet Réference Description et Remarques

ZONEAGE AEROPORTUAIRE (AIRPORT ZONING)	Loi sur l'aéronautique (Transporta - G. fédéral)	
Zoneage dans les parcs provinciaux (Zoning in provincial parks)	voir PARCS PROVINCIAUX -	
Zoneage dans les régions annexées (Zoning in annexed areas)	voir ANNEXION ET FUSION -	
Zoneage sur un chemin de comté (Zoning on county road)	voir ROUTE - zoneage	
Zone à accès restreint (Restricted area)	voir TERRES PUBLIQUES -	
ZONE D'AMPHIOTATION COMMERCIALE (BUSINESS IMPROVEMENT AREA)	Loi sur les municipalités, 217	
Zone d'aménagement (Planning area)	Loi sur l'aménagement du territoire, 9	
ZONE D'AMPHIOTATION DE LOTISSEMENT (SUBDIVISION PLAN AREA)	Loi sur l'enregistrement des actes, 86 (Consommation et Commerce)	
- arrêté restreint (restricting order)		Le directeur de l'enregistrement immobilier peut émettre un arrêté restreint désignant un terrain à titre de zone d'aménagement de lotissement; à la suite de cet arrêté, aucune terre ne peut être transférée, sans conformément à l'alinéa 3 de l'article 49 de la Loi sur l'aménagement du territoire.
Zone de stationnement (Parking areas)	voir Réglementation des Plans d'implantation; AMPHIOTATION DES SITES; ROUTES - utilisation locale de parcelles non ouvertes à la circulation; STATIONNEMENT AVEC PERMIS;	
ZONE FAISIBLE (QUIET ZONE)		Le modèle de règlement municipal sur la réglementation du bruit établi par le ministre de l'Environnement prévoit des dispositions relativement à différents types de zones, notamment les secteurs domiciliaires, les zones paisibles et les zones agricoles.
ZONE PROTÉGÉE POUR PIÉTONS (SAFE ZONE)	Loi sur les municipalités, 210(124)	Le Conseil peut réserver des zones protégées pour piétons près des arrêts d'autobus ou de tramways et y interdire la circulation des voitures en présence de piétons.
ZONE D'AMPHIOTATION EN COMMUN (JOINT PLANNING AREA)	Loi sur l'aménagement du territoire, 9	En vertu de la Loi de 1983 sur l'aménagement du territoire, les seules zones d'aménagement restreintes sont des zones d'aménagement en commun dans le Nord de l'Ontario et des zones composées d'arrangements de territoires non érigés en municipalités. La directive n° 2 sur la Loi sur l'aménagement du territoire, intitulée Local Planning In Northern Ontario, porte sur l'aménagement en commun.
Zonees détruites (Blighted Areas)	voir RÉAMPHIOTATION URBAIN	

Voie d'accès	voir accès des véhicules	
(Access road)		
Voie de jonction	voir ROUTE -	
(Connecting link)		
Voie de neige	voir CLOTURES	
(Snow road)		
Voie publique	voir accès des véhicules	
(Common road)		
Voie rapide	voir ROUTE -	
(Expressway)		
Voies d'eau	voir Eaux Navigables; Lacs et	
(Waterways)	Rivières; Parcs Provinciaux -	
	CLASSIFICATION	
	Lot sur les clôtures de	
	bornage, 19	
VOIES FERRÉES ABANDONNÉES		
(ABANDONED RAILWAY LINES)		
Voies réservées aux autobus	voir TRANSPORTS EN COMMUN	
(Reserved bus lanes)		

Les municipalités ou propriétaires voisins qui font l'acquisition de voies ferrées abandonnées doivent aménager, réparer et entretenir des clôtures de bornage.



Description et Remarques

Sujet	Référence
Valeur foncière (Land value)	voir EVALUATION FONCIÈRE
Valeur marchande (Market value)	voir EVALUATION FONCIÈRE
VALIDATION DE LOTS (VALIDATION OF LOTS)	Loi sur l'aménagement du territoire, 56
VHICULE (VEHICLE)	Code de la route, I(1)39
VHICULE AUTOMOBILE (MOTOR VEHICLE)	Loi sur l'entrée sans autorisation, 11
VHICULE AUTOMOBILE (PUBLIC VEHICLE)	transport en commun, 1(K)
VHICULE DE TRANSPORT EN COMMUN (COMMERCIAL MOTOR VEHICLE)	Code de la route I(1)5
Véhicules automobiles en vente (Selling motor vehicles)	ABANDONNÉS voir TERRES PUBLIQUES - vente ou location à bail
Ventes ou location à bail de terres publiques (Sale or lease of public lands)	VENTES DE TERRAINS À L'ÉTRANGER (FOREIGN LAND SALES) - lotissements (subdivisions) - prospectus (prospects)
40	La demande de prospectus doit comporter des renseignements financiers précis sur les propriétés. Selon la forme prescrite, le prospectus doit comprendre des renseignements sur les services, sur les caractéristiques et accès routiers offerts, de même que sur les caractéristiques concrètes des terrains.
39	Nulle vente ou location d'un lot de terrain situé hors de la province ne peut être conclue, à moins que l'acheteur n'ait signé une déclaration selon laquelle il reconnaît qu'il a pris connaissance du prospectus approuvé par le registraire. L'acheteur peut demander l'annulation du contrat dans les 90 jours, si le vendeur n'a pas obtenu cette déclaration.
38	Aucun lot de terrain situé hors de l'Ontario ne peut être vendu dans la province tant qu'un prospectus n'a pas été déposé auprès du registraire du courtage commercial et
37	«Lotissements» Terrain bâti ou non bâti, divisé ou à diviser en unités de copropriété.
36	diviser en unités de copropriété.
35	immobilier.
34	provinces ne peut être conclue, à moins que l'acheteur n'ait signé une déclaration selon laquelle il reconnaît qu'il a pris connaissance du prospectus approuvé par le registraire. L'acheteur peut demander l'annulation du contrat dans les 90 jours, si le vendeur n'a pas obtenu cette déclaration.
33	La demande de prospectus doit comporter des renseignements financiers précis sur les propriétés. Selon la forme prescrite, le prospectus doit comprendre des renseignements sur les services, sur les caractéristiques et accès routiers offerts, de même que sur les caractéristiques concrètes des terrains.
32	Loi sur l'aménagement du territoire, 49(16),(17)
31	ABANDONNÉ (ABANDONED ORCHARD) (Agriculture et Alimentation)
30	Loi sur les vergers abandonnés (POLICE VILLAGE) AUTONOME PARTIEMENTAL Loi sur les municipalités, 331-356
29	autres questions visées à l'article 347.

Description et Remarques

[illegible]

TERRES EN ARRIÈRE D'IMPÔTS (LANDS IN TAX ARREARS)	Lot sur les affaires municipales, 40	Dans les cas où des impôts sont impayés, des biens-fonds peuvent être repris par la municipalité après un délai d'un an (dans le cas des terres vacantes) ou de trois ans (dans le cas des terres aménagées).
TERRES EN PÉRIIL (HAZARD LAND)	Lot sur l'aménagement du territoire, 2(a)(b), 50(4)(d)(h), 34(3)	Un plan officiel doit tenir compte des questions environnementales qui paraissent pertinentes en tenant compte de la protection des richesses naturelles et des possibilités d'aménagement; enfin, un règlement de zonage peut interdire d'aménagement; ou de constructions susceptibles d'être inondées ou de caractère instable.
TERRES PUBLIQUES (PUBLIC LANDS)	Lot sur les terres publiques (Richesses naturelles)	
- Réserves publiques (public reserves)	3 Dans les cas où au moins 25 % de la façade d'un cours d'eau sont publics, au moins 25 % de cette façade doivent être ouvertes à l'accès et aux loisirs. Dans les cas où il reste moins de 25 %, cette longueur doit être conservée en entier.	
- Zones (zones)	12 Le ministre peut créer des zones dites «libres», «différenciées», «fermées», etc. et peut réglementer et administrer les conséquences d'utilisation de terres publiques. Le ministre peut désigner des zones au sein desquelles aucune action ne peut être menée, sauf au moyen d'un plan de zonage enregistré.	
- Zone à accès restreint (restricted area)	13 Dans les régions sans organisation municipale, le ministre peut désigner une zone à accès restreint, ce qui lui permet de réglementer les permis de construire et les aménagements fonciers dans des conditions qu'il juge appropriées. La Loi a été modifiée en 1988 pour porter de 500 \$ à 5 000 \$ le maximum de l'amende dans le cas des travaux de construction réalisés sans permis.	
- permis de travailler (work permit)	13a Un permis de travailler est nécessaire dans les cas où des activités comme l'exploitation minière, le débardage ou une entaille industrielle doivent être exercées, ou encore dans les cas où des aménagements doivent être réalisés sur des terres publiques.	
- vente ou location (sales or leases)	14-18 Le Conseil des ministres peut édicter des règlements interdisant ou réglementant la vente ou la location-acquisition de terres publiques à des fins distinctes de l'agriculture. Les lettres patentes peuvent être assorties de conditions au sujet de l'utilisation du sol. Le non-respect de ces conditions peut entraîner la perte du terrain. Sur annulation d'une vente ou d'une location-acquisition, tous les bâtiments deviennent la propriété de la Couronne. (voir également le Règlement de l'Ontario n° 246/71 au sujet de la vente et de la location-acquisition.)	
- conditions d'utilisation (land use conditions)	19 Le ministre délivre un permis d'occupation pour autoriser l'occupation de terres publiques. Sous réserve des conditions affectantes, le permis porte des droits analogues à ceux des lettres patentes.	
- dépit sans autorisation (unauthorized filling)	25 Pour déposer des matériaux sur des terres ou des eaux publiques, il est nécessaire d'obtenir au préalable l'accord écrit du ministre ou d'un agent autorisé par le ministre.	
- concessions de la Couronne (Crown grants)	36 Il s'agit de la concession d'un intérêt en franche tenure ou en tenure à bail sur des terres publiques non vidées par des lettres patentes.	
- chemins forestiers (forest roads)	45-52 Ces articles portent sur des chemins forestiers privés et publics. Une définition y est notamment fournie.	
- arbres (trees)	54-65 Les arbres sur des terrains cédés à des fins agricoles demeurent la propriété de la Couronne tant que les lettres patentes ne sont pas délivrées.	
- droits minéraux (mineral rights)	57-59 Dans les lettres patentes délivrées après 1957, les droits minéraux sont réservés à la Couronne.	
- Lot à bâtir pour un chalet (cottage lot condition)	65 Dans les cas où des terres ont été concédées sous réserve d'un chalet y soit construit dans un délai de 18 mois, cette condition est nulle et non avenue.	
- barreaux (dams)	68-71 Le ministre peut aménager des barreaux et d'autres ouvrages de régulation des eaux, exproprier des terres, etc.	

[illegible]

Description et Remarques

Référence

Sujet

La réglementation du zonage et du lotissement ne constitue pas en soi une série sur titre au sens de la Loi sur l'enregistrement des droits immobiliers.

Loi sur l'enregistrement des

Plans immobiliers (Consommation et Commerce)

Loi sur l'enregistrement des

Plans immobiliers (Consommation et Commerce)

Loi sur l'enregistrement des

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Plans immobiliers (Consommation et Commerce)

Loi sur l'enregistrement des

Plans immobiliers (Consommation et Commerce)

Même si les programmes d'arpentage et de cartographie ont été réalisés à partir de la grille à trois degrés de ce système, ce dernier n'a jamais été utilisé dans l'ensemble du territoire. Le système de grille Universel Transversale Mercator a été adopté à titre de grille de référence géographique standard et officiel pour la province. On l'appelle la Grille de référence géographique de l'Ontario. Le lecteur peut se procurer de plus amples renseignements auprès de la Direction de l'arpentage, de la cartographie et de la géodésie du Ministère des Renseignements naturels (Kevin Kelly, Services de Géodésie, téléphone 416/733-5130).

L'Annexe II de cette Loi donne l'équivalent en mesures métriques d'une verge, soit 9 144/10 000 mètres.

Ce règlement renferme des renseignements sur les systèmes métriques et impériaux, au sujet de l'erreur admissible maximum dans le calcul du périmètre d'un lotissement. Le maximum autorisé pour les autres aspects techniques de l'arpentage est également exprimé en mesures métriques et impériales. Si des mesures métriques sont utilisées sur un plan d'arpentage, une note normalisée doit être ajoutée afin de préciser que toutes les mesures sont exprimées en mètres et peuvent être converties en pieds en divisant par 0,3048.

Le Ministère de la Consommation et du Commerce a préparé un système d'enregistrement des droits immobiliers (juin 1976). Depuis le 1^{er} juillet 1976, les bureaux d'enregistrement des droits immobiliers acceptent les plans établis en unités impériales ou métriques.

Cette Loi convertit en métrique les mesures notées dans différentes autres lois. Cette Loi n'a pas encore été enregistrée.

Le recours aux mesures métriques dans les documents d'aménagement du territoire et qui permettront de faciliter l'aménagement du territoire.

Le recours aux mesures métriques dans les documents d'aménagement municipal.

Loi sur la certification des titres de propriété

Règlement de l'Ont. n° 98/80

Loi sur l'enregistrement des droits immobiliers

Règlement de l'Ont. n° 554/80

Loi sur la copropriété par déclaration (Consommation et Commerce)

Règlement de l'Ont. n° 122/80

Loi modifiant la Loi sur les normes de conversion métrique (Industrie, Commerce et Technologie)

Loi sur l'aménagement du territoire, 42

[illegible]

134	Un addoction hygiénisatrice ou un inspecteur peuvent avoir accès à une passation dans les cas où ils ont des motifs de soupçonner une situation de surpeuplement qui est jugée non conforme aux règles de l'hygiène.
138	Dans les cas où le ministère établit par écrit que des réseaux d'égout ou d'égout sont nécessaires dans l'intérêt de la santé publique, la municipalité doit aussitôt adopter tous les règlements nécessaires et réaliser les travaux prescrits sans délai inutile.
145	Le conseil d'une cité ou d'une ville peut, par règlement, conclure un abattoir public.
159-166	Le ministre peut édicter des règlements en ce qui concerne les ententes, afin d'éviter les nuisances, en plus de prévoir l'inspection des maisons et des établissements dans les territoires non érigés en municipalité.
Annexe B	
Il s'agit d'un règlement en vigueur dans toutes les municipalités, tant qu'il n'est pas modifié par le Conseil municipal. Ce règlement porte sur la localisation des abattoirs, l'aménagement des déchets, l'aménagement des toilettes dans les restaurants, la conservation de trucs, etc. La clause prévoyant des amendes a été supprimée en 1976.	
voir TRANSPORTS EN COMMUN	
Le Conseil des affaires municipales de l'Ontario peut définir des services urbains et des frais de services urbains, en plus d'établir des zones de services urbains, dans une municipalité agrandie par annexion ou fusion. La Commission peut définir le mode de répartition des frais de prestation de ces services urbains parmi les terrains de la municipalité.	
208(54)	Le Conseil municipal peut tracer et aménager des pistes cyclables, ce qui peut l'amener à faire l'acquisition de terrains; le Conseil municipal n'est soumis à aucune restriction en ce qui concerne l'utilisation d'une partie d'une route.
309(5)	Le Conseil peut réserver une partie d'une route pour l'aménagement d'une piste cyclable ou d'un sentier de randonnée pédestre. Il peut envisager un aménagement relatif entre la piste ou le sentier et les couloirs réservés à la circulation automobile.
315(10)	Le Conseil municipal peut aménager une piste cyclable sur toute route et en interdire l'accès à d'autres types de véhicules. Cet aménagement peut porter sur la ou les périodes précitées.
voir AUTORISATION	
SÉPARATION DE TERRAINS (LAND SEVERANCE)	
SÉPARATIONS DES NIVEAUX FERROVIAIRES (RAILWAY GRADE SEPARATIONS)	
Loi sur les déplacements des lignes et sur les croisements de chemin de fer, Partie I (Transports Canada et Commission canadienne des transports)	
Loi sur les transports en commun de banlieue (Transports)	
SERVICES DE TRANSPORTS EN COMMUN DE BANLIEUE (COMMUTER SERVICES)	
SERVICES PUBLICS (PUBLIC UTILITIES)	
Loi sur la Commission des affaires municipales de l'Ontario, 1(4) (Procureur général)	
Grand public des nécessités ou des commodités. et les lignes télégraphiques, ou tout ouvrage tournant au naturel, de chaleur, d'éclairage électrique, transmission, de distribution et de fourniture de gaz distribution de gaz, y compris les réseaux de production, de «services publics» Ouvrages de purification de l'eau, de en commun, notamment par autobus.	

Chemin de camion (comhship road)	lotissements de sections (resort subdivision)	chemin de cité, de ville ou de village (city, town, village road)	route de municipalité régionale, de district ou de communauté urbaine (district, metropolitan, or regional road)	route reclassée (development road)	route express (expressway)	autoroute (freeway)	chemin d'accès et route commune (access road and common road)	chemin forestier (forest road)	Loi sur les terres publiques (richesses naturelles)	Loi sur les municipalités, 309(4)	Loi sur les municipalités, 310	location de parties non utilisées par la circulation (leasing use or circulation)	untravellé portions)	- compétence (jurisdiction)	Ces articles portent sur la nature d'une route publique et égalisent la compétence des conseils municipaux en matière de routes et de ponts publics dans les municipalités, à moins que cette compétence n'ait été expressément attribuée à un autre conseil.	BOULEVARDS; BRUIT RANONNÉE FORESTIÈRE; CHEMIN OCTAVIENS ET SENTIERS DE RUSTICATION DE LA VUE; PISTES DESTRUCTION DE LA VUE; PISTES OCTAVIENS ET SENTIERS DE RANONNÉE FORESTIÈRE; CHEMIN PRIVÉ - désignation; RETRAITS; ROULEVARDS; BRUIT	voir PROTECTION DES BIENS CULTURELS	historiques (Historic preservation)	Route, privée - désignation (Road, private - snowplowing)	Rue (Street)	RUE PÉTONNIÈRE (PEDESTRIAN PATH)	Loi sur les municipalités, 210(123)	Loi sur les municipalités, 298(10)	En fermant un chemin, le Conseil municipal peut préciser que ce chemin est fermé à la circulation automobile seulement et peut installer des barrières.
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ROUTE (HIGHWAY)	254 320	Loi sur les municipalités,
- largeur minimum (minimum width)		Ces articles portent sur l'élargissement, les détournements, la fermeture, l'ouverture, etc. de chemins, de même que sur l'interdiction de la circulation automobile ou piétonnière. L'approbation du conseil municipal ou un propriétaire ne peuvent, sans aménager de voies publiques de moins de 20 mètres de largeur
- accès à la propriété (access to property)		Il est interdit de fermer un chemin si cela prive une personne de l'accès à sa propriété, à moins de lui verser une indemnité et d'aménager un autre moyen d'accès (299).
- prises en charge (assumption)		L'enregistrement d'un plan de lotissement n'entraîne pas la Société (286).
		Le ministre des Affaires municipales a publié sous le titre "Public Road Allocations - a Procedural Guide" (mai 1981) un ouvrage qui est maintenant épuisé.
		"Route" S'entend au outre de routes ordinaires ou voies publiques.
- route principale (King's Highway)		31 L'accès à la route principale est régi par un permis délivré par le ministre.
		34 Il est interdit, sauf en vertu d'un permis délivré par le ministre, de monter des bâtiments, pompes à essence, citernes, arçres ou autres constructions à 4,5 mètres au plus du point central d'une intersection. Il est également interdit d'aménager des centres commerciaux, étades, cinéparas, etc. à moins de 400 mètres, sauf moyennant un permis délivré par le ministre.
		21 Si le ministre estime qu'une route devrait être considérée de façon à former une voie de jonction entre les sections de la route principale ou un prolongement de cette route, le ministre peut, après consultation du conseil municipal, décider de la limite de la route principale ou à 100 mètres au plus de la limite de la route principale ou à 100 mètres au plus du point central d'une intersection. Il est également interdit d'aménager des centres commerciaux, étades, cinéparas, etc. à moins de 400 mètres, sauf moyennant un permis délivré par le ministre.
- route à accès limité (controlled access highway)	6-39	La désignation d'une route à accès limité permet au ministre de fermer des intersections et de régir l'accès aux propriétés privées. Des modalités de régle analogues s'appliquent également aux routes secondaires.
- route à accès limité (controlled access road)	96-98	Une municipalité peut, avec l'approbation du ministre et de la Commission des affaires municipales de l'Ontario, désigner un chemin à accès contrôlé, fermer des intersections et en restreindre l'accès.
- route secondaire (secondary highway)	40	Toutes les dispositions relatives à l'autoroute principale s'appliquent également aux routes secondaires.
- route tertiaire (tertiary road)	41	On peut désigner comme route tertiaire une route existante, si elle est localisée ou en partie dans un territoire non étigé en municipalité. Dans ce cas, les dispositions de la Loi et les règlements qui visent la route principale, à l'exception des articles 30 et 31, s'appliquent à la route tertiaire. Le ministre entretient cette route sans toutefois la démolir ni être responsable des dommages qui y surviennent.
- chemin d'accès (resource road)	42	Le lieutenant-gouverneur en conseil peut désigner une route tertiaire comme chemin d'accès. Par conséquent, certaines restrictions au ministre de chemements et d'autres dispositions du Code de la route sont sans effet.
- chemin industriel (industrial road)	43	Le ministre peut désigner comme chemin industriel un chemin privé utilisé pour l'exploitation de l'industrie minière, du bois ou de la pâte à papier, mais qui doit être également ouvert au public. Le ministre et le propriétaire peuvent conclure un accord au sujet de l'entretien de ce type de chemin.
- route de comté (county road)	44-61	Ces dispositions portent sur la création et l'entretien d'un réseau de routes de comté, y compris les ponts. Le comté n'est pas responsable des trottoirs.
- zonage (zoning)	62	Le comté a, en ce qui concerne les biens-fonds situés à 45 mètres d'une route de comté, les pouvoirs conférés à une municipalité locale en vertu de l'article 39 de la Loi sur l'aménagement du territoire. Le règlement de ce comté serait prépondérément sur le règlement local en cas de conflit.
- pompes à essence, essence (gas pumps, signs)	63	Un comté peut interdire ou réglementer (et prévoir la distance de permis à ce sujet) les pompes à essence situées dans les 45 mètres de la limite d'une route, ainsi que les enseignes publicitaires à moins de 400 mètres de cette limite. (Voir aussi OBSERVATION DE LA VUE.)
- route suburbaine (suburban road)	65-71	Certaines routes de comté peuvent être désignées en tant que routes suburbaines. Les cités et les villes autonomes participent à leur construction et à leur entretien et sont représentées au sein des commissions sur les routes municipales. Ces routes contiennent d'être des routes de comté.

[illegible]

R[illegible]

RÉGLEMENTS (MUNICIPAL) DE	Loi sur les municipalités, Partie X	Les articles 142-147 portant sur les déneigement, la dette municipale, les contrats d'approvisionnement en services publics, etc.
(MONEY BY-LAWS)		
RÉGLEMENTS DE NAVIGATION	Loi sur le transport maritime du Canada, 635 (Transports - G. fédéral)	Les règlements en matière de restrictions sur la navigation privés par cette Loi sont administrés par le ministre onarces des richesses naturelles. La Société provinciale d'Ontario veille généralement à l'application de ces règlements; cependant, le ministère fédéral des Transports peut nommer un représentant des gouvernements fédéral, provincial, de comté ou municipal comme agent de la paix pour l'application des règlements. Ces règlements peuvent interdire l'accès de tous les navires à certains eaux et la circulation de navires à moteur, en plus d'imposer certaines limites de vitesse maximums, d'interdire des filets nautiques et courses de bateaux.
CONSTRUCTION BY-LAWS)	Loi sur les municipalités, 210 (162-174) et 210a; Loi de 1983 modifiant des lois concernant l'aménagement du territoire	Les dispositions relatives aux règlements sur la construction de la Loi d'avant 1983 sur l'aménagement du territoire sont pour la plupart desormais reproduites dans la Loi sur les municipalités. Ces dispositions ne s'appliquent qu'aux bâtiments et petites annexes existantes, de même qu'aux maisons mobiles d'occasion.
RÉGLEMENTS SUR LA FERMETURE	Loi sur les municipalités, 211-214	Le Conseil municipal peut réglementer les heures de fermeture des boutiques, postes d'essence et hôtels. Le terme «boutique» est défini dans la Loi.
(EARLY CLOSING BY-LAWS)	Loi sur les municipalités, 211-214	LES ÉTÉS
Règles de procédure	voir AUDIENCES, RÈGLEMENTS	
Rembai sanitaire	voir REMBLAI; GESTION DES DÉCHETS	
(Sanitary Landfill)		
REMBLAIS	Loi sur la protection de l'environnement, Règlement 309	
(LANDFILL)		
voir aussi GESTION DES DÉCHETS	- Normes; PROTECTION - décharges de remblais	
Remblais	voir PROTECTION DE LA NATURE (MILIEU NATUREL); REMBLAIS DE TERREIN; GESTION DES DÉCHETS; EAUX NAVIGABLES	
(Fill)		
URBAN RENVAL)	Loi nationale, Partie III	25.1 Le financement offert par le gouvernement fédéral pour le renouvellement urbain a été appliqué pour tous les projets, sauf ceux qui étaient en cours avant le 1er février 1973.
Rénovation	voir CODE DU BÂTIMENT, LOGEMENT - revalorisation, conversion	
(Renovation)		
Renseignements d'évaluation pour l'aménagement du territoire	Loi sur l'aménagement du territoire, 67	
(Assessment Information for Planning)		

Le Conseil municipal est habilité à adopter des règlements sur la destruction des arbres ou autres végétaux naturels, la modification des courbes et l'élimination de l'eau dans un ravin. Un permis de construction peut être retenu jusqu'à ce que son demandeur ait conclu un accord si la propriété est traversée par un ravin ou a une incidence sur ce dernier. Des modalités sont prévues en cas d'appel auprès de la Commission des affaires municipales de l'Ontario.

Loi de 1986 sur la Cité de Scarborough

RAVINES (RAVINES)

2 Le Conseil des ministres peut réserver des régions sauvages, (richesses naturelles) qui sont réglementées par le ministre.

3 Nulle disposition de cette Loi ne limite l'utilisation des 260 hectares.

7,8 Des règlements peuvent être édictés pour toute région sauvage. Les contrevenants sont passibles d'amendes pouvant atteindre 500 \$.

Loi sur l'occupation, l'aménagement du territoire, le développement et la localisation

RECOUPLEMENT (REDEVELOPMENT)

Le ministre des Affaires municipales a publié sous le titre «Zoning and Other Land Use Control» (octobre 1983) la Directive n° 8 dans le cadre d'une série de directives qu'il édicte.

Loi sur l'aménagement du territoire, 34

RÉGIONS SAUVAGES (WILDERNESS AREAS)

La directive n° 8 sur le zonage et autres restrictions en matière d'utilisation des terrains (octobre 1983) comprend un article sur les règlements municipaux de restriction provinciaux.

Loi sur l'aménagement du territoire, 37

Réglement municipal de restriction provinciale (Interim Control By-law)

Loi sur l'aménagement du territoire, 36

Règlement sur les primes (Bonus By-law)

Le ministre des Affaires municipales a publié sous le titre «Official Plans and the Use of Site Plan Control» (août 1984) la Directive n° 9 dans le cadre d'une série de directives qu'il édicte.

Loi sur l'aménagement du territoire, 36

Réglementation (Régulation)

L'ouvrage intitulé «Subdivision Control in Registered Plans» porte sur la détermination et la réglementation des lotissements adoptés, des règlements en matière d'avis, et portent sur des règles de procédures pour les consentements ainsi que sur des règlements mineurs. Le ministère des Affaires municipales a publié sous le titre «Zoning within the New Regulation» la Directive n° 5 dans le cadre d'une série de directives qu'il édicte (août 1983).

Loi sur l'aménagement du territoire, 49(3)

Réglementation du (Subdivision control)

Les lois peuvent énoncer les principes généraux qui sont interprétés ultérieurement de façon plus particulière sous la forme de règlements. Ainsi, en vertu de la loi sur l'aménagement du territoire, des règlements ont été adoptés

Loi sur l'aménagement du territoire, 49(5) et (6)

Réglementation relative aux parties de lots de terrain (Part lot control)

RÈGLEMENTS (REGULATIONS)

[illegible]

Partie IV
Les travaux d'archéologie ne sont autorisés que moyennant un permis émanant du ministre. Après un préavis signifié en bon et due forme, les biens peuvent être désignés comme présentant un intérêt archéologique ou historique. À partir de ce moment, il est interdit de travailler sur les terrains sans permis à cet effet délivré par le ministre. Ce dernier peut également émettre un arrêté de suspension dans les cas où un bien est susceptible d'être endommagé par des travaux de promotion commerciale, industrielle ou autre. Une indemnisation est prévue à ce titre.

Amorcée en 1987, la révision de la politique sur le patrimoine ontarien donnera lieu à une stratégie pour l'ensemble du gouvernement en ce qui concerne les programmes et mesures éventuels en matière de protection des biens culturels, et notamment à une mise à jour de la loi. Le lecteur peut se procurer les documents de référence suivants auprès de la Librairie du gouvernement de l'Ontario :

«A Heritage Conservation Primer» (1 \$) : Publié en 1984, cet ouvrage explique les rouages de la loi sur les biens culturels de l'Ontario.

«Heritage Conservation District Guidelines».

L'ouvrage intitulé «Heritage Conservation, the Built Environment», rédigé par M. R. Maxwell Ward et publié par la Direction des terrains, Ottawa, 1986, est également intéressant. Il porte sur le droit et la législation.

Amorcée en 1987, la révision de la politique sur le patrimoine ontarien donnera lieu à une stratégie pour l'ensemble du gouvernement en ce qui concerne les programmes et mesures éventuels en matière de protection des biens culturels, et notamment à une mise à jour de la loi.

Lot sur les lieux et monuments historiques (Environnement Canada)

On procède à l'heure actuelle à un inventaire complet, dans l'ensemble du pays, des immeubles d'intérêt historique. Le gouvernement fédéral devrait intervenir financièrement; cependant, cette intervention n'a pas été substantielle en Ontario.

Cette loi exige une autorisation en cas d'enviement, de modification, de vente ou de cession de gares de chemin de fer désignées d'intérêt historique, sauf si cette cession intervient entre deux sociétés de chemin de fer. De même, la modification de caractéristiques désignées fait l'objet de certaines restrictions.

20(7) Les puits qui fulent peuvent être réglementés par le ministre.

Lot sur les ressources en eau de l'Ontario, Règlement de l'Ontario n° 739

21(1)(f) «Puits» Trou creusé dans le sol afin de trouver ou de capter des eaux souterraines ou afin d'obtenir des renseignements à leur égard. S'entend en outre d'une source près de laquelle ou dans laquelle en vue de capter ou de faire ou du matériel est installé en vue de capter ou de conduire de l'eau, et qui sert ou servira vraisemblablement comme source d'eau potable.

22 Dans les zones désignées, un permis est nécessaire avant de creuser un puit. Ce permis peut être refusé pour un certain nombre de motifs.

voir AGRICULTURE MINÉRAUX

Puits d'extraction et caractères (Pits and quarries)

- services (asasments)	une servitude en matière de protection ou de patrimoine est une convention juridique en vertu de laquelle le propriétaire d'un bien cède à une autre personne ou à un autre organisme le droit d'approuver des décisions en matière de démolition, d'aménagement ou de modification d'éléments du patrimoine intégrés à ses biens.	Les servitudes ou engagements conclus par la Fondation du patrimoine ontarien peuvent être inscrits sur des biens immobiliers et accompagner la propriété. La Fondation peut mettre en application ces servitudes ou engagements, même dans les cas où elle ne possède pas de terrains qui pourraient en bénéficier. Un Conseil municipal peut également conclure une servitude de protection des biens culturels sans qu'il soit nécessaire de classer les biens architecturaux en vertu de la Partie IV de la Loi.	Partie Le ministre nomme une Commission des biens culturels afin d'examiner les appels au titre des Parties IV et VI.	III	Partie Le Conseil municipal peut désigner des biens et consulter un Comité consultatif chargé de la conservation de l'architecture locale. Cette Partie de la Loi comprend des dispositions en ce qui concerne les auditeurs, appels, etc. Les modifications ou démolitions de biens culturels doivent être approuvées par le Conseil, qui peut acquiescer ou exproprier des biens, ou encore consentir des subventions pour des modifications. Le Conseil peut également prendre des servitudes ou conclure des engagements, et peut même les céder à un tiers s'il le souhaite.	Partie V Si le plan officiel le prévoit, le Conseil municipal peut désigner une zone entière en tant que district de conservation des biens culturels. Le règlement municipal exige alors une audience et l'approbation de la Commission des biens culturels. Le règlement municipal doit être déposé et il faut demander l'approbation du ministre compétent.	32	Si un projet touche des terres de la Couronne, un ouvrage public, un aménagement hydro-électrique ou une route, un plan doit être déposé et il faut demander l'approbation du ministre compétent.	Lot de 1988 sur les terres protégées (Richesses naturelles)	encouragements (financial incentives)	Partie Protection (des biens culturels) voir CONSERVATION DES BIENS CULTURELS voir LOGEMENT - amélioration des quartiers voir FAUNE	PROTECTION DES BIENS CULTURELS (HERITAGE CONSERVATION)	Partie II La Fondation ontarienne est constituée par le ministre. Il peut acquiescer ou détenir des biens-fonds, verser des subventions, conseiller le ministre, etc.
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Description et Remarques

Référence

Sujet

<p>Le Conseil municipal peut réglementer le montage et l'entretien de poteaux, fils, câbles, etc. sur les routes et dans les endroits publics. Ce pouvoir de réglementation ne lui confère cependant pas un pouvoir fiscal. (Consulter l'Article Coœcial Colovriev Ltd. et al. c. Municipalité de Scarborough, 1974.)</p> <p>Le Conseil municipal peut adopter des règlements et autres lois sur les municipalités, 104</p>	<p>POURVOIRS DE LA POLICE (POLICE POWER)</p> <p>POUVOIRS MUNICIPAUX (MUNICIPAL POWERS)</p> <p>Prévisions (pour le lotissement) (Levies (lot levies))</p> <p>Prêts à l'amélioration des maisons (Home improvement loans)</p> <p>Prêts aux municipalités (MUNICIPAL LOANS)</p> <p>Loi sur le financement des travaux municipaux (Affaires municipales)</p> <p>Cette loi habilite le ministre à conclure des accords de emprunts auprès de la Commission de développement et de financement des municipalités, conformément à la loi sur le développement et le financement des municipalités (Canada). Les projets municipaux admissibles comprennent notamment les immobilisations des conseils de l'éducation.</p>	<p>Prise en charge d'une route par une municipalité (Assumption of highway by a municipality)</p> <p>Privilège relatif à l'eau municipale</p> <p>Volonté relative à l'eau (Water privilege)</p> <p>Programmes de logement rural (Rural housing)</p> <p>Projet Polaris (Polaris Project)</p> <p>PROJETS DE CHEMIN PUBLIC (PUBLIC ROAD ALLOWANCES)</p> <p>Loi sur l'arpentage, 57(1)</p> <p>Tous les emplacements affectés à des chemins et indiqués sur un plan de lotissement enregistré sont réputés constituer des projets de chemin public.</p> <p>Le ministre des Affaires municipales et du Logement a publié en mai 1981 un ouvrage intitulé «Public Road Allowances : A Procedural Guideline».</p>	<p>Propriété étrangère (Foreign Ownership)</p> <p>Propriété exempt de l'impôt (Property exempt from taxation)</p> <p>Prospectus (Prospectus)</p> <p>PROTECTION (DE L'ENVIRONNEMENT NATUREL) (CONSERVATION (NATURAL RESOURCES NATURAL))</p> <p>Loi sur les offices de protection de la nature (Relieuses naturelles)</p> <p>Volonté des terres étrangères (Prospectus)</p> <p>2, Le ministre peut, sur demande adressée par des municipalités, constituer un Office de protection de la nature. Dans les régions, il agit de la seule municipalité, constituant un Office de protection de la nature. Cet article définit les pouvoirs et objectifs d'un Office.</p>	<p>21 Ce dernier participe notamment à la gestion de toutes les barrières, réservoirs, parcs et loisirs, ainsi que de la plantation d'arbres.</p> <p>28 Sous réserve de l'approbation du ministre, un Office peut réglementer : l'utilisation de l'eau des cours d'eau et des lacs, les obstacles créés pour un cours d'eau, l'emplacement des bâtiments d'irrigation, le montage de constructions dans le périmètre d'inondation régional et la décharge de rejets. Le règlement adopté par chaque Office s'intitule «[il], Construction and Alteration to Waterways Regulation». Les appels peuvent être interjetés par la Commission des mares et des terres, qui exerce les pouvoirs qui lui sont attribués au titre du paragraphe 28(1).</p>	<p>- terre en péril (hazard land)</p> <p>- déchets des remblais (dumping of fill)</p> <p>Règlement de l'Ontario n° 364/82</p> <p>Commissaire aux mines et aux terres (Mining and Lands Commissioner)</p> <p>voir BAUX NAVIGABLES</p>
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(AGRICULTURAL POLITICAL)	Le Code de pratique agricole a été préparé conjointement par le ministère de l'Agriculture et de l'Alimentation, le ministère de l'Environnement et le ministère des Affaires municipales et du Logement (1976). Ce Code s'applique aux fermes d'élevage de bétail et de volaille et prévoit les superficies minimales de terrain pour l'utilisation du fumier, l'alignement de séparation des habitations, des fermes établies en cas de construction aux règles de la pollution des techniques de prévention des animaux morts, etc. Un nouveau Code devrait être mis en application une fois adopté la nouvelle politique en matière de terres agro-alimentaires.
(separation distance)	
(separation distance)	
Practical)	
Agricultural Code of Practice)	
Code de pratique agricole)	

[illegible]

[illegible]

[illegible]

Niveaulement (Grading)	Lot sur l'aménagement du territoire, 40(1)(a)9, 58	voir TOPONYMIE, AFFILIATION DES RUES	(Noms) (Names)
(STREET NAMES)	Lot sur les municipalités, 210(105)	Le Conseil peut nommer des rues et changer les appellations, par règlements en plus d'apposer les noms à l'angle des rues, sur des propriétés publiques ou privées.	
Normes d'entretien et d'occupation (Maintenance and occupancy standards)	Lot sur l'aménagement, 31	Le ministre des Affaires municipales et du Logement a publié une brochure intitulée «All Together Now» et un manuel à l'intention des agents proposés aux normes ou maitre de propriété sous le titre «Conservling and Improving our Property». Il existe également un modèle de règlement.	
Normes de bâtiment (Building Standards)	Lot de 1974 sur la Société d'aménagement de North Pickering (Society for North Pickering Development) voir aussi SOCIÉTÉ FONCIÈRE DE L'ONTARIO	Cette loi a été dissoute par la loi de 1982 abrogeant la Société d'aménagement de North Pickering.	
(NORTH PICKERING)		Les droits et obligations foncières de la Société dissoute reviennent désormais à la Société foncière de l'Ontario.	
NUISANCE (NUISANCE)	Lot sur la santé publique	32 Dans les cas où un ménage résident communiquait par écrit à un conseil local de santé des renseignements écrits sur l'existence d'une nuisance ou d'une situation non conforme à l'hygiène, le conseil doit aussitôt faire enquête et prendre toutes les mesures nécessaires.	
		38 Si le conseil local n'intervenait pas rapidement, le ministre peut intervenir et en tenir la municipalité responsable.	
	115-129	Toute situation qui peut porter atteinte à la santé peut être réputée constituer une nuisance. Il peut s'agir, entre autres, de l'accumulation de déchets, de la pollution de l'eau potable, d'un établissement industriel, d'une habitation surpeuplée, de la pollution de l'air, etc.	
NUISANCES INDUSTRIELLES TERRES AGRICOLES - demandes d'indemnités au titre des nuisances	Lot sur les municipalités, 210(126)	Le Conseil municipal peut réglementer des activités professionnelles comportant des risques pour la santé. Il peut même interdire ou réglementer les tanneurs, réseaux de gaz, distilleries ou autres activités industrielles qui peuvent constituer des nuisances.	
(INDUSTRIAL NUISANCES)	Lot sur la santé publique, 130	La constitution de l'un quelconque des métiers suivants exige l'accord du Conseil de la localité ou du Conseil municipal : bouillage du sang et des os, raffinage de l'huile de chardon, bouillage du savon, bouillage d'animaux morts ou de déchets humains ou animaux, d'animaux humains ou animaux, ou toute fabrication de la colle, fabrication d'engrais à partir d'animaux morts ou de déchets humains ou animaux, tannage de peaux ou de fourrures, fabrication du gaz, de chandeliers, bouillage de tapis, abattage d'animaux, entreposage de peaux de bêtes, bouillage du savon, bouillage municipal ; bouillage du sang et des os, raffinage de l'huile de chardon, bouillage du savon, bouillage d'animaux, d'animaux morts ou de déchets humains ou animaux, d'animaux humains ou animaux, ou toute autre activité qui est ou peut devenir offensive. Des amendes pouvant atteindre 250 \$, plus 20 \$ par jour, sont prévues.	
NUMÉROTATION DES LOTS DE CONSTRUCTION (NUMBERING OF BUILDING LOTS)	Lot sur les municipalités, 210	Un conseil local peut adopter des règlements pour la numérotation des lots de construction et des bâtiments de la municipalité; il est tenu de conserver un registre public de cette numérotation.	

[illegible]

[illegible]

Référence

Description et Remarques

- renouvellement urbain (urban renewal)	Partie III	27	Les fonds ont été bloqués. Voir RENOUVELLEMENT URBAIN.
- prêts à l'acquisition des habitations (home improvement loans)	Partie IV	28-33	La SCHL peut garantir des emprunts bancaires destinés à l'acquisition des habitations.
- Programme d'aide pour résidents en état des logements (MARRL) Logements (MARRL) Rehabilitation Assistance Program (R.H.A.P.E.))	Partie IV, 1	34, 1	Des prêts sont consentis pour aider à la réparation et à la remise en état des logements résidentiels, mais seulement dans les zones d'urgence. Ces prêts peuvent également consentir à des organismes à but non lucratif, en maisons habitations en occupation multiple, de même qu'à des groupes d'accueil, etc., de même qu'à des autochtones, à des groupes ou à des conseils de bandes, avec l'accord du ministre des Affaires indiennes et du Nord Canada.
- prêts à l'accession à la propriété (home ownership loans)		34, 15	Des prêts peuvent également être consentis afin de favoriser la construction ou l'acquisition de maisons ou de logements en copropriété par des particuliers.
- logement coopératif (co-operative housing)		34, 18	Les prêts ou des cotisations peuvent être versés afin de favoriser les associations de logements coopératifs. (A l'heure actuelle, ce programme n'est pas en vigueur.)
- recherche, etc. (research, etc.)	Partie V	35	La SCHL veille à réaliser des travaux de recherche sur la situation du logement, la promotion de l'habilitation du logement et l'encouragement de l'adoption de plans communautaires. Des subventions sont offertes dans le cadre du Programme d'organisation communautaire.
- logement public (public housing)	Partie VI	36, 37	Ces articles décrivent plus en détails les attributions et responsabilités de la SCHL selon l'article 35.
- programmes de logement rural (rural housing programs)		40	La SCHL peut réaliser des assemblées d'habitation public de concert avec tout organisme provincial.
- lotissement (land assembly)		42-43	(a) L'aménagement de logements en propriétés pour les familles à faible revenu dans les collectivités de moins de 2 500 personnes. Ce programme est administré par la SCHL. Les subventions sont partagées entre le gouvernement provincial et le gouvernement fédéral. (b) L'aménagement de logements locaux à l'intention des personnes âgées dans les collectivités de moins de 2 500 personnes. Ce programme est administré par la SCHL. Les subventions sont partagées entre le gouvernement provincial et le gouvernement fédéral.
- collectivités nouvelles (new communities)	Partie VI, 1	45, 1	La SCHL peut consentir des prêts à des organismes de logement public pour leur permettre d'acquiescer et de stabiliser des terrains destinés à l'aménagement de logements, de même que pour bâtir ou acquiescer des logements publics (jusqu'à concurrence d'un maximum de 90 %). (A l'heure actuelle, ce programme n'est pas en vigueur.)
- logement pour les étudiants (student housing)	Partie VII	47	La SCHL peut consentir des prêts à des municipalités, organismes provinciaux, hôpitaux, conseils scolaires, universités, associations coopératives ou sociétés de étudiants (jusqu'à concurrence d'un maximum de 90 %).
- Réseaux d'adduction d'eau (water and sewerage projects)	Partie VIII	50	voir RÉSEAUX D'ADDITION D'EAU; EGOUTS; AMÉLIORATIONS COMMUNAUTAIRES.
- financement des loyers (rent subsidy)		56, 1	La SCHL peut verser des cotisations afin de réduire les loyers dans les projets d'habitation exploités par un organisme à but non lucratif, une municipalité, une agence de logements publics ou un groupe amérindien. Des fonds sont également offerts pour le logement coopératif à but non lucratif.
- anciens combattants (veterans)			voir LOGEMENT - loi nationale sur l'habitation, articles 15, 1, 34, 15 et 34, 16; TERRES RÉSERVÉES AUX ANCIENS COMBATTANTS

17	Dans les cas où un plan officiel en vigueur dans une municipalité est assorti de dispositions relatives à la présentation de logements, lesquelles dispositions ont été adoptées par le ministre après l'entrée en vigueur du présent article, ou dans les cas où un Conseil municipal a adopté une déclaration de principes concernant la présentation de logements, la présentation de logements, laquelle déclaration a été approuvée par le ministre, le Conseil municipal peut :	
(a)	acquiescer et démanteler des terrains, avec ou sans avoir à ce titre, dans la municipalité pour la réalisation d'un projet de logement;	
(b)	mettre, débourser, acheter, louer, subdiviser, vendre, et préparer par ailleurs ce terrain pour la réalisation du projet; et	
(c)	vendre, louer ou céder par ailleurs ce terrain, moyennant une contrepartie symbolique ou autre, pour la réalisation d'un projet de logement.	
18	Une municipalité peut conclure, avec toute personne ou organisme du gouvernement, un accord portant sur la réalisation d'un projet de logement et disposant que les terrains continus au projet conservent pour une durée précise certaines affectations.	
19	En cas d'urgence, un Conseil municipal peut installer des logements provisoires.	- projets provisoires (temporary projects)
	du logement local	- protection du logement local
	Loi de 1986 sur la protection	- (central housing protection)
	voir aussi RÉVISION DES LOIS, LUTTE CONTRE LA DÉMOLITION	
	Loi sur la Cité de Toronto	- logement social (social housing)
	Toronto a adopté une loi particulière portant sur le logement social; cette loi prévoit une déflation du terme abrogée le 30 juin 1989, sauf si elle est protégée.	
2	La Loi comprend des définitions qui s'appliquent sur plusieurs pages, notamment :	- Loi nationale sur l'habitation (SCHL)

«logement familial»	Logement où une famille peut vivre.	«logement familial»	Logement où une famille peut vivre.
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- ensemble d'habitation HM	(low rental housing)
- logement à but non lucratif ou financé par la collectivité	collaboratif (non-profit or community sponsored housing)
voir aussi AMÉLIORATIONS COMMUNAUTAIRES	
16	La SCHL peut consentir des prêts pour les ensembles HM en ce qui concerne l'exploitation des mines, du bois de charpente ou des pêcheries.
15.1	Dans le cas des ensembles d'habitation de biens, le copropriétaire ou appartement à des municipalités, le prêt maximum peut atteindre 100 % de la valeur d'emprunt du projet.
15	Les ensembles d'habitation HM peuvent être financés par des prêts de la SCHL, jusqu'à concurrence de 95 % de la valeur d'emprunt de l'ensemble. (À l'heure actuelle, ce programme n'est pas en vigueur.)
14	Les ensembles locaux ci-dessus peuvent être financés jusqu'à concurrence de 85 % de leur coût.

	Limite de propriété d'un bâtiment pour l'alignement	
	reporté d'une route	
	Building line for deferred highway widening	
	LIMITES MUNICIPALES	
	(BOUNDARIES)	
	Loi sur le bornage	(Consommation et Commerce)
	Loi sur la division territoriale (Affaires municipales)	
9-13	Cette loi définit la division territoriale de l'Ontario en comtés et en districts, ainsi qu'en zones métropolitaines et régionales.	
	Les limites des cantons en bordure de certains lacs et rivières sont également définies.	
14	En cas d'incertitude au sujet du canton auquel une loi ou un autre lot de terrain appartenant, on peut demander une déclaration en vertu de la loi sur la régularisation du statut des municipalités.	
15	Le lieutenant-gouverneur en conseil peut constituer de nouveaux cantons, modifier les limites de districts territoriaux et changer les limites de cantons dans des régions où aucune lettre patente n'a été délivrée, en plus d'annexer à un canton voisin toute parcelle ou tout lot de terrain qui ne fait pas partie d'un canton.	
	Dans les cas où, en raison de difficultés d'obstacles municipales, cette route n'en demeure pas moins la limite concrète, une route de démarcation doit d'une limite municipale pour l'application de cette loi.	
	Loi sur les municipalités, 283	
	(boundary road)	
	Loi sur les municipalités, 193(2)	
	voit aussi ANNEXION ET FUSION	
	voit EAUX NAVIGABLES	
	(Beds of Navigable Waters)	
	Location d'une partie d'une route	
	(Leasing of portion of highway)	
	Location de terres	(LEASING OF LAND)
	voit aussi TERRES PUBLIQUES - ventes ou location à bail	
	Loi sur l'aménagement du territoire, 3	
	Un projet de déclaration de principes et des directives publiques des documents portant sur les questions de logement connexes ont été approuvés pour consultation du grand public.	
	des objectifs municipaux relatifs à l'intensification des d'aménagement du territoire. Les directives sont axées sur les besoins des collectivités.	
	Renseignements : 585 6233.	
	Cette loi constitue la Société, qui peut consentir des prêts, des subventions, etc. ou encore conclure des accords habilités en vertu de la loi sur le développement du logement.	
1	Cet article définit les termes «développement des bâtiments» et «société de développement des bâtiments». Dans cette loi, le terme «municipalité» comprend les municipalités régionales.	
2	Le ministre peut garantir des prêts, avancer des sommes d'argent, etc. pour le développement des bâtiments, l'acquisition et la réaffectation de zones urbaines. Cet article prévoit une aide financière pour les suppléments de loyer, créances hypothécaires, etc.	
3	Le ministre peut consentir des subventions ou des prêts à un municipalité ou à des particuliers afin de les aider à réparer, rénover, améliorer ou convertir des biens immobiliers utilisés à des fins résidentielles.	
3	Le ministre peut consentir des subventions pour favoriser les études et la recherche sur le logement. (Subventions autorisées par la Direction de l'exploitation de la Société de logement de l'Ontario.)	
7	Les municipalités, le gouvernement de l'Ontario et le gouvernement fédéral peuvent ensemble participer à des projets de logement concrets. Une société de logement peut réaliser et gérer un projet de logement.	
8	Le ministre peut exproprier des terrains pour réaliser un projet de logement.	
13	Un Conseil municipal peut créer une ou plusieurs sociétés de logement à but non lucratif, afin d'offrir et d'exploiter des logements moyennant des loyers inférieurs à ceux du marché, à l'intention de personnes à revenu modeste.	
	société municipale de logement à but non lucratif (municipal non-profit housing corporation)	

LACS ET RIVIÈRES (LAKES AND RIVERS)
Loi sur l'aménagement des lacs et rivières (fisheries and natural resources)

LACS ET RIVIÈRES

Loi sur l'aménagement des lacs et rivières (fisheries and natural resources)

2 Cette Loi porte sur l'aménagement des lacs et rivières. Elle prévoit en outre :
(a) la conservation et l'exercice équilibrable des droits publics dans ou sur ces eaux;
(b) la protection des intérêts des propriétaires riverains;
(c) l'utilisation, la gestion et la perception de la faune, de la flore et des autres ressources naturelles qui dépendent de ces eaux;
(d) la préservation des aménagements naturels de ces eaux, ainsi que de leurs rivières et lacs; et
(e) l'adéquation de l'aménagement et de la nature des aménagements de ces eaux, y compris leur utilisation et leur exploitation dans un souci d'équilibre et de sécurité, en tenant compte des questions liées aux aléas, à la pollution, à la pêche et à leur exploitation dans une mesure raisonnable.

3 Le ministre peut édicter des règlements en ce qui concerne l'utilisation des lacs et rivières, ainsi que de leurs eaux. L'amende maximale est fixée à 5 000 \$.
13-29 Aucun barrage ne peut être aménagé sans l'approbation du ministre, sauf dans les cas d'urgence. Différentes clauses portent sur la réparation des barrages, etc.
35-36 Les ministres peuvent ordonner l'enlèvement des arbres, déchets, substances ou matériaux déposés dans un lac ou une rivière d'une manière qui, à son avis, porte atteinte à la beauté naturelle des eaux.
38 Le rejet de déchets, bruits, produits chimiques, substances ou autres matériaux provenant d'une usine dans un lac ou une rivière, ou sur ses rives ou ses rives, est interdit. La loi prévoit des amendes d'au moins 50 \$ par jour.

- barrages (dans)
- esthétique (aesthetics)
- pollution par une usine (pollution from a mill)
- privilège d'utilisation des eaux (occupied water privilege)
- privilège d'utilisation des eaux (occupied water privilege)

Loi sur les municipalités, 306
voir aussi EAUX NAVIGABLES

LARGEUR DES CHEMINS (ROAD WIDTH)

Loi sur les municipalités, 210 (133)

LAW-470 (CAR WASH)

Loi sur les municipalités, 210 (136, 137)

LAVERIES (LAUNDRIES)

LETTERS PATENTES (PATENT LETTERS)

LEVEE DE BASE (BASE MAPPING)

On peut, en outre, après de la Loi sur le gouvernement de l'Ontario (au prix de 5 \$), un manuel sur les cartes et les renseignements de cartes en Ontario. Ce manuel a été établi par la Direction de la recherche et des projets spéciaux du ministère des Affaires municipales.
On peut, en outre, après de la Loi sur le gouvernement de l'Ontario (au prix de 5 \$), un manuel sur les lettres patentes sont reproduites dans des chartes ou des actes non notifiés, mis à la disposition du grand public et des renseignements du grand public sur leur partie intéressante.
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voir aussi CANTES TOPOGRAPHIQUES

Lieu d'élimination des déchets (Waste disposal sites)

voir ÉTABLISSEMENT RELIGIEUX

Lieu de dévotion (Place of worship)

Loi sur la taxe de vente au détail, 1.9 (Revenu)

(PLACE OF DIVERTISSEMENT)

«Lieu de divertissement» Part de la Loi sur l'établissement de la Loi sur la taxe de vente au détail, 1.9 (Revenu)
Loi sur les municipalités, 232.6 et 7
Les règlements peuvent être adoptés afin de réglementer, agréer et interdire l'implantation de différents types de bâtiments, notamment des cinémas, salles de quilles, salles publiques, musées de cire, etc.
«Ligne de transport de l'énergie» Ligne de transport de l'énergie, autre qu'une raffinerie de pétrole, un entrepôt d'huile ou de pétrole, d'un autre type de produit chimique ou une station de pipeline.

Loi sur la Commission de l'énergie de l'Ontario, 1(21)

LIGNE DE TRANSPORT HYDRO-ÉLECTRIQUE (TRANSMISSION LINE)

Le Conseil municipal peut interdire les incinérateurs à ordures dans toute catégorie de bâtiment construit après le 1^{er} septembre 1966.

Loi sur les municipales, 210(44)

(INCINERATORS)

Le règlement n° 2 porte sur les normes d'emplacement et d'exploitation.

Loi sur la gestion des déchets, règlement n° 2

INDEX DES FICHIERS

(INDEX OF STATISTICAL FILES)

Cette publication renferme des renseignements descriptifs sur les principaux fichiers de données statistiques du Gouvernement de l'Ontario. Il s'agit d'un document de référence utile pour les agents d'information, chercheurs et statisticiens qu'ils peuvent se procurer auprès du Gouvernement de l'Ontario d'où il émane. Pour faciliter la consultation, tous les fichiers comportent des renvois croisés par sujet. On peut se le procurer au prix de 5 \$ auprès du Centre des publications, 880, rue Bay, Toronto.

Loi sur les municipales, 78

INDEX DES RÈGLEMENTS MUNICIPAUX (INDEX OF MUNICIPAL BY-LAWS)

Le greffier de chaque municipalité doit tenir un index de chaque règlement de zonage et de tous les règlements visant les terres sans avoir une incidence directe sur le titre de propriété.

voir aussi CODE MUNICIPAL

Loi sur l'enregistrement des actes, 1(1) (Consumation et Commerce)

Tout règlement municipal qui vise des terres peut être enregistré en tant qu'acte.

Intérêt provincial

Loi sur l'aménagement du territoire, 2, 17(19)(20), 22(5), 34(28) et 46(15)-(17)

(INTERPRETATION)

Loi d'interprétation (Procureur Général)

Dans les cas où une loi comprend un article sur l'interprétation, par exemple les définitions que l'on retrouve dans la loi sur les municipalités, cet article s'applique en plus des définitions, règles et exceptions de la loi d'interprétation. L'article d'interprétation de la loi sur les municipalités s'étend à toutes les lois relatives aux questions municipales.

JALONS ET BORNES (METES AND BOUNDS)

Cette expression désigne un système de cadastre au moyen de bornes actives qui renvoient à des jalons et à des bornes naturelles ou artificielles. Le cadastre suit une orientation qui part d'un point fixe appelé point de référence à d'autres points fixes jusqu'à ce que la zone visée soit entièrement cernée.

Sujet

voir aussi: ACTIVITES
INDUSTRIELLES DANGEREUSES

[illegible]

GARAGE (GARAGE)	Loi sur les municipalités, 210	139	Le Conseil municipal peut réglementer l'implantation de garages, d'écures, de granges, de dépendances et d'amorcellements de fumier.	149	Le pouvoir de réglementation des garages publics ne comprend pas les dispositions relatives aux commodités des lieux. La décision d'un tribunal public dans le numéro de mai 1981 Municipal World illustre cette exemption. (Texaco Canada Limited c. La Corporation de la Cité de Vanier, Cour suprême du Canada)	152	Le Conseil municipal peut limiter le nombre de stations-service et de garages publics.	On entend par «garage» tout endroit où établissement où des véhicules automobiles sont remisés, entreposés ou réparés moyennant rémunération.	Code du bâtiment de l'Ontario	voir aussi STATION-SERVICE; VOITURES	garage public (Public Garage)	GARAGES DE STATIONNEMENT (PARKING GARAGES)	Windoor	Loi de 1988 sur la Cité de Windsor	À Windsor, le Conseil municipal peut adopter des règlements qui exigent l'aménagement esthétique autour des garages de stationnement.	Garderie	voir ÉTABLISSEMENTS DE SANTÉ ET DE SERVICES SOCIAUX - (Day Nursery)	GAZETTE DE L'ONTARIO (ONTARIO GAZETTE)	Loi sur la publication des avis officiels (Procureur Général)	Loi sur la protection de l'environnement, Partie V	24	Le terme «déchets» comprend les centres, débris, rebuts, déchets domestiques et industriels ou municipaux, etc.	26-27	Pour créer ou agrandir des systèmes de gestion de déchets de des lieux d'élimination de déchets, il est nécessaire de demander un certificat d'approbation.	28	Aucune municipalité ne peut affecter des fonds à l'élimination des déchets sans certificat d'approbation.	29	Le ministre peut demander à une municipalité d'instituer un système d'enlèvement ou de gestion des déchets.	30-31	Dans les cas où une demande portant sur un lieu d'élimination des déchets comporte l'élimination ou le transport de déchets liquides industriels ou dangereux ou toute autre forme de déchets qui représente l'équivalent de déchets domestiques pour plus de 1 500 personnes, une audience publique doit être convoquée par la commission sur les évaluations environnementales, à moins que la situation ne soit réputée urgente.	34	Aucun certificat d'approbation ne peut être délivré à moins que le demandeur ne dépose les fonds suffisants pour assurer l'entretien satisfaisant du lieu ou du système d'élimination des déchets. Les lieux et systèmes d'élimination des déchets des municipalités peuvent également être soumis à des audiences publiques.	38	Un certificat peut être refusé, suspendu, modifié, etc. ou ces conditions peuvent être changées si la direction nommée par le loi considère que le lieu ou le système peut constituer une nuisance, donner naissance à des risques ou ne pas respecter par ailleurs la loi ou le règlement.	39	On ne peut déposer de déchets, sauf dans un lieu d'élimination des déchets.	45	On ne peut utiliser des terres auparavant utilisées pour l'élimination des déchets avant 25 ans suivant la fermeture du lieu, sauf avec l'approbation du ministre.	46	Cet article fait allusion aux puits d'élimination des déchets et aux indemnités en cas de pollution par ces puits.	2, 3	Ces articles définissent les types suivants de déchets : déchets agricoles, animaux condamnés, véhicules motorisés en ruines, déchets industriels liquides remorqués, égouts remorqués, déchets dangereux, déchets d'incinérateur, remblais inertes, déchets organiques transformés et remblais de roches ou morts-terrains provenant d'une mine.	Règlement 309 (S.P.A.)	(Types of waste)	- puits d'élimination des déchets (waste disposal wells)	- types de déchets
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Sujet

Référence

Description et Remarques

FESTIVAL EN PLEIN AIR	(OUTDOOR FESTIVAL)	Loi sur la santé publique, 10
FESTIVAL EN PLEIN AIR	(Rock festival)	
Festival rock		voir FESTIVAL EN PLEIN AIR
FINANCEMENT PAR INTERVENANT	(INTERVENOR FUNDING)	Loi de 1988 sur les projets de financement par intervenants (Procureur général)
FISCALITÉ	(Taxation)	voir ÉVALUATION FONCIÈRE; IMPOÎT FONCIER PROVINCIAL; voir FAUNE SAUVAGE; TERAINS BOISÉS, ARBRES
Forêt	(Forest)	voir FAUNE SAUVAGE; TERAINS BOISÉS, ARBRES
POSSÈS SÉRIQUEUX	(SERPIC TANK)	Loi sur la protection de l'environnement, Règlement n 374/81
voir aussi ÉCOUTS; SANTÉ PUBLIQUE -		voir aussi ÉCOUTS; SANTÉ PUBLIQUE -
POYER DE GROUPE	(GROUP HOME)	Loi sur les municipalités, 236
Le Conseil municipal peut adopter un règlement qui exige l'inscription au registre des foyers de groupe; il peut également mettre en application des principes de séparation entre ces foyers, pourvu qu'un règlement de zonage soit en vigueur et autorise ces foyers.		Pour les documents de planification, il est recommandé d'utiliser la définition ci-après, reproduite dans l'ouvrage intitulé «Group Homes Resource Manual», qu'on peut se procurer auprès de la Librairie du gouvernement de l'Ontario (au prix de 5 \$).
«Foyer de groupe» Unité de logements individuels dans une habitation domiciliaire où habitent de trois à dix personnes (à l'exclusion du personnel de surveillance) et de la famille d'accueil) en famille, sous surveillance sérielle et conforme aux besoins particuliers des résidents. Ce foyer est agréé ou approuvé en vertu des lois de la province et en conformité des règlements de la municipalité.		voir ÉTABLISSEMENTS DE SANTÉ ET DE SERVICES SOCIAUX
Frais	(Costs)	voir COMMISSION DES AFFAIRES MUNICIPALES
Frais de déplacement	(Relocation Costs)	voir EXPROPRIATION
Frais de police	(Police costs)	voir IMPOÎT DE SECTEUR - police
Frequenteur scolaire	(School attendance)	voir ÉCOUTS -

Forme	voir AVOIR AGRICOLE, LOGEMENT -	
FERMES D'ÉLEVAGE D'ANIMAUX À FOURRURE	Loi sur les fermes d'élevage d'animaux à fourrure	
(FUR FARMS)	(Agriculture et Alimentation)	
FERMETURE D'UN CHEMIN (ROAD CLOSING)	Loi sur les municipalités, 298(1), (11)	
	Loi sur les municipalités, 316, 317	
	Dans les cas où une indemnité a été versée pour un emplacement affecté à la construction d'une route, que cette route est formée ultérieurement et que le Conseil veut vendre le terrain, il peut fixer un prix et les propriétaires voisins disposent les premiers d'un droit d'achat.	
	Une municipalité peut vouloir ouvrir un emplacement affecté à la construction d'une route à titre de solution de rechange pour l'emplacement sur l'arpentage d'origine. Si aucune indemnité n'est versée pour un nouvel emplacement, le propriétaire foncier a droit à l'emplacement d'origine ou au voisin. Si l'indemnité est versée pour un nouvel emplacement, les propriétaires voisins peuvent acheter l'emplacement sur l'arpentage d'origine.	
	L'article 316 a été réadopté en 1987 afin d'inclure une disposition qui se trouvait auparavant dans l'article 57 de la Loi sur l'arpentage et qui portait sur la fermeture et la vente de routes sur les plans de lotissement.	
	Loi sur l'aménagement des routes et des transports en commun, 24(3)	
- fermeture provisoire (temporary closing)	Loi sur les municipalités, 208(46)	
	Communauté urbaine de Toronto	
	Loi sur la municipalité de la	
	voir aussi ARRÊTÉ D'UN JUGE; TERRITOIRES NON ÉRIGÉS EN MUNICIPALITÉ; RUE PRINCIPALE	
FERMETURE, FERMANT LES DÉTAILS, DES COMMERCES DE BUSINESS)	Loi sur les jours fériés dans les commerces de détail (procureur général)	
FERMÉS, DES COMMERCES DE BUSINESS)	(HOLLAND CLOSINGS FOR RETAIL DÉTAIL)	
	Loi sur les jours fériés dans les commerces de détail	
	Le Conseil municipal peut former un chemin à filtre communautaire et sportives.	
	La Société de la communauté urbaine de la rue Yonge a la circulation, de juin à septembre.	
	Loi sur la municipalité de la	
	voir aussi ARRÊTÉ D'UN JUGE; TERRITOIRES NON ÉRIGÉS EN MUNICIPALITÉ; RUE PRINCIPALE	
	Loi sur les jours fériés dans les commerces de détail	
	(procureur général)	
	Le dimanche (Ontario).	
	Si l'estime nécessaire au soutien ou à l'expansion de l'industrie touristique, le Conseil municipal peut, par règlement, prévoir que l'article 2 ne s'applique pas dans les parties de la municipalité et aux conditions que précises le règlement. Ce règlement (qui exempte certaines catégories de personnes employées, du nombre de personnes employées, du caractère de l'entreprise, de l'emplacement ou de tout autre critère.	
	voir aussi RÉGLEMENTS MUNICIPAUX EN MATIÈRE DE FERMETURE À BONNE HEURE	
	voir COURS À RÉPARATION	
	Fermeture de voitures (Car Washers)	

- valeur marchandise (market value)	18	On apprend par l'évaluateur marchandé le montant que pourrait se réaliser le vendeur si il vendait un bien foncier sur le marché libre à une personne disposée à l'acheter.
- zones attachées des	20	Le Conseil municipal peut adopter un règlement qui définit les zones agricoles de la municipalité qui sont attachées en totalité ou en partie de l'impôt au titre des dépenses engagées pour les ouvrages d'irrigation, la protection contre les incendies, l'enlèvement des ordures, les toilettes, les chauxsées, les égouts, ainsi que l'éclairage des parcelles de golf peuvent être soumis à une évaluation fixe (cette évaluation ne s'applique cependant pas aux bâtiments, ni aux impôts au titre des aménagements locaux).
- terres agricoles (Ireland)	86.	En établissant la valeur marchande des terres agricoles utilisées exclusivement à des fins agricoles, il ne peut être tenu compte des biens-fonds vendus à des personnes dont les fonctions principales sont classifiées de l'exploitation agricole.
EXPLOSIFS (EXPLOSIVES)	210(8-17)	Le Conseil municipal peut réglementer l'entreposage de matières inflammables ou explosives, en plus d'interdire la fabrication de ces matières.
INDUSTRIELS DANGEREUX		
EXPROPRIATION (EXPROPRIATION)		Loi sur les municipalités
5		But l'indication contraire, le pouvoir d'acquisition de biens-fonds attribués à une municipalité par toute loi comprend le pouvoir d'expropriation.
192-195		Le Conseil municipal peut adopter des règlements afin d'exproprier des terrains. Si les terrains se trouvent dans une autre municipalité, il doit demander l'approbation de la Commission des affaires municipales de l'Ontario. Cette loi comporte différentes dispositions. Un avis d'expropriation doit être signifié au propriétaire, qui peut demander une audience. L'organisme qui donne son approbation est soit un conseil municipal, un conseil de ville ou un ministre. Dans les cas où les terrains peuvent être expropriés pour une durée limitée.
13		L'indemnité est calculée en fonction de la valeur marchande et tant compte de toute autre considération, notamment les inconvénients causés à un locataire et les préjudices.
18(1)		L'organisme expropriateur doit verser au propriétaire les frais raisonnables qui découlent logiquement, dans une mesure raisonnable, de l'expropriation, notamment les frais de dépannage, les frais juridiques et de recherche engagés pour l'acquisition d'autres établissements, les amendes, les frais de poursuites et les autres dépenses encourues par le propriétaire pour les inconvénients et une provision pour les autres dépenses encourues par le propriétaire pour les inconvénients et pour la perte de leur logement.
- frais de dépannage (relocation costs)		
- Office d'indemnisation foncière (Land Compensation Board)	26, 28	Un Office d'indemnisation foncière peut établir les indemnités à verser en cas de désaccord entre les parties. Les appels doivent être interjetés auprès de la Cour d'appel. Depuis 1983, toutes les fonctions de l'Office d'indemnisation foncière sont assumées par la Commission des affaires municipales de l'Ontario.
31		Dans les cas où un propriétaire foncier accepte de céder ses biens-fonds à un organisme officiel, son indemnité peut être établie par arbitrage auprès de la Commission des affaires municipales de l'Ontario.
- plan d'expropriation (expropriation plan)		Loi sur l'enregistrement des actes (Consommation et Commerce)
- travaux publics (public works)		Loi sur le ministre des Services gouvernementaux (gouvernement fédéral : Travaux publics)
voir aussi LOGEMENT - 1		DRAINAGE
Extension or agrandissement d'une utilisation non conforme	Loi sur l'aménagement du territoire, 44(2)(a)(1)	
(Extension or enlargement of non-conforming use)		

7 Le ministère de l'Environnement établit et diffuse dans le grand public un examen de l'évaluation environnementale. Un délai minimum de 30 jours est prévu pour l'examen de cette analyse par le public.

9-11 S'il considère que l'évaluation environnementale soumise est satisfaisante et permet de prendre une décision en ce qui

concerne l'approbation à délivrer, le ministre accepte cette évaluation. Si cependant il a jugé insatisfaisante, il peut modifier et accepter l'évaluation ou ordonner de nouvelles recherches après avoir prévenu l'auteur de l'évaluation et d'autres parties intéressées de son intention et après avoir reçu de leur part de nouveaux exposés.

12,13 Sur réception d'une demande d'audience dans un délai de 30 jours suivant l'avis qu'il donne à l'effet que l'évaluation a été amendée ou dans un délai de 15 jours de l'avis portant sur la proposition à modifier, le ministre peut saisir la Commission des évaluations environnementales d'une évaluation environnementale. En pareils cas, la Commission décide de l'acceptation de l'évaluation environnementale et de l'approbation de l'entreprise, avec ou sans réserves.

Dans les cas où il accepte une évaluation environnementale, le ministre peut approuver l'entreprise avec ou sans réserves, ou accorder la renvoi sur réception d'une demande d'audience dans un délai de 15 jours de l'avis à l'acceptation, l'évaluation peut être soumise à la Commission pour audience et décision en matière d'acceptation, l'évaluation peut être soumise à la Commission pour audience et décision en matière d'approbation.

24 Le ministre peut désigner des agents provinciaux pour effectuer ou prescrire les sondages ou demandes de renseignements nécessaires pour assurer la mise en application de la loi.

29 Le ministre peut, avec l'approbation du Conseil des ministres, exempter toute entreprise de l'application de la loi, dans les cas où il est d'avis que cette exemption favorise l'intérêt du grand public. Les exemptions produites des conséquences négligeables sur l'environnement.

40 Des règlements peuvent être édictés en vertu de cet article, afin de définir comme importante toute entreprise ou activité commerciale ou industrielle, de désigner cette entreprise comme une activité nouvelle, d'appliquer la loi, de définir un règlement à l'égard d'organismes publics, et d'exempter des personnes ou des entreprises de la loi ou de ses règlements.

Règlement de l'Ontario
n° 205/87

Le Règlement exempté de la loi de nombreux projets provinciaux et municipaux. Les projets provinciaux qui existent toujours une évaluation commerciale comprennent les nouvelles voies provinciales, les installations d'épuration et de traitement des eaux, les plans de renvoi pour les puits provinciaux, les complexes immobiliers provinciaux importants, les relations de production d'électricité et les plans d'élimination des déchets.

Les dispositions du règlement exemptent certaines activités des offices de protection de la nature et la secteur des municipalités. Ces deux secteurs sont soumis à la mise en application par phases en vertu du Règlement et ont été complètement exemptés jusqu'en 1977 et en 1980 soumises que si elles sont expressément désignées.

Le périodique B.A.U. Update, qu'on peut se procurer sans frais en en faisant la demande écrite à B.A.U. Update, Direction des renseignements environnementaux de l'Environnement, 250, Avenue Dufferin, Toronto (Ontario) M5S 1H2, des renseignements sur la loi sur les évaluations environnementales ainsi que sur les mentions, exemptions et directives prévues. On peut également se procurer au même endroit, les ouvrages publiés par l'Information du Citoyen Evaluations Environnementales, Guide A.L. Information du Propriétaire Participant in the EA Process, et Review and the Review Participants in the EA Process, et du Propriétaire Evaluations Environnementales.

Evaluation fixe
(Fixed assessment)
Exploitation agricole
(Farm)
voit avoir AVOIR AGRICOLE; LOGEMENT

EVALUATION FONCIÈRE
Loi sur l'évaluation foncière
(Revenue)

- biens-fonds exempts des impôts
(property exempt from taxation)

3 Les biens-fonds foncières suivants sont affectés de l'impôt : Les biens foncières qui appartiennent aux Gouvernements fédéral ou provincial, les terres aménageables, les églises, les clubs, les bâtiments d'écoles publiques ou églises catholiques et leurs terrains, les universités, les hôpitaux, les organisations de bienfaisance, les exploitations agricoles industrielles, les propriétés des sociétés publiques, les sociétés horticoles et les immeubles publiés.

4 Le Conseil municipal peut également, exempter les biens foncières qui appartiennent à des institutions religieuses et qui sont utilisés pour des loyers.

7 Outre l'évaluation foncière, une somme calculée en pourcentage de cette évaluation est comprise à l'ère d'évaluation commerciale.

[illegible]

Reference	Description et Remarques
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Rassemblements d'habitation (Residential) Complexes
présentent la vente d'ensembles d'habitation (Consumption et Commerce)
Selon cette loi, la vente d'une participation dans un ensemble d'habitation constitue un délit et est réprimée que les acquéreurs auront droit de rachat. Les locataires actuels à titre d'occupants d'une unité de logement ou qui l'ont acquise ont le droit de rachat.

voir ABRÈS

(Accrément forest)

RESPONSABILITÉ DU

autorisation (procureur général)

LIABILITY (RESPONS AND OWNERS)

Loi sur la responsabilité des occupants

(procureur général)

propriété à des fins récréatives. propriété à des fins récréatives. propriétés qui souhaitent autoriser l'utilisation de leur

Entreposage de déchets

Loi sur l'aménagement du territoire, 40(1)(a)(i)

ESCARPEMENT DU NIGARAH

Loi sur la planification et l'aménagement de l'escarpement

(Affaires municipales)

Loi sur la planification et l'aménagement de l'escarpement

(Affaires municipales)

Cette loi vise à protéger l'escarpement, essentiellement comme milieu naturel continu.

Le ministre peut définir la zone d'aménagement de l'escarpement du Niagara et peut ordonner qu'un plan soit préparé pour approbation à titre de plan d'escarpement du

Le ministre doit constituer au moins deux comités consultatifs représentant les municipalités et les habitants

Le Conseil des ministres comme les 17 membres dont se compose la Commission de l'escarpement du Niagara. Cette Commission a le statut de personnes morales.

Cet article définit les objectifs de l'établissement du plan.

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- réglementation de la mise en valeur (développement contrôlé)

- évaluation fixe (fixed assessment)

une partie d'un terrain ou un quadrilatère est «transporté», un acte doit être déposé pour confirmer le respect de l'article 50 de la Loi sur l'aménagement du territoire. Seulement en vertu du système d'enregistrement des droits immobiliers. En vertu de l'autre système, cette exigence ne s'applique pas, étant donné qu'il est relativement facile pour le chercheur de titres, de vérifier la propriété des lots contigus.

Le règlement prévu par cette loi prescrit le recours à de nouveaux formulaires pour tous les actes enregistrés et documents déposés en vertu du système d'enregistrement des actes et du système d'enregistrement des droits immobiliers. La loi crée cinq types normatifs de documents :

a) l'acte de cession de terres;
b) la charge ou hypothèque sur terrain;
c) la mainlevée de la charge ou de l'hypothèque;
d) l'acte en général;
e) l'annexe.

Aucun acte ne peut être enregistré en vertu des deux systèmes à moins que ces formulaires ne soient utilisés.

La Partie I renferme de nouveaux termes qui remplacent les anciens afin de les actualiser et de les rendre conformes aux nouveaux documents et aux nouvelles modalités.

Le mot «cession» a remplacé le mot «acte» afin de couvrir tous les cas de transfert de terrains en franchise tenue ou en tenure à bail. Le terme «document» a remplacé l'acte. Le terme «charge» remplace «hypothèque» afin de décrire les charges accordées pour garantir le paiement des sommes d'argent ou l'exécution d'autres engagements au moyen d'une charge ou d'un privilège sur la propriété du «commun».

Le terme «mainlevée» est utilisé afin de décrire la cessation de charges et la mainlevée d'hypothèques.

- Fichier Informatisé
d'enregistrement foncier
(Automated Recording and Property Mapping System
(Polaris Project))

Dans le cas des propriétés visités par la deuxième partie de la Loi, une base de données - fichier informatisé, aménagée en fonction de la propriété des biens-fonds, remplace les index respectifs actuels et les registres de lots à l'ère de documents officiels. En outre, une base de données cartographiques numériques des biens-fonds est réalisée, à partir de laquelle les plans des propriétés sur papier portant les numéros d'identification des biens-fonds sont reproduits afin de faciliter la recherche des titres de propriétés. Au 1er avril 1987, les renseignements sur les droits de propriété pour l'ensemble des 30 000 propriétés du projet de loi-61 de l'Ontario devaient être connus dans ce fichier informatisé. En juillet 1987, la mise en application de ce fichier était approuvée et devait s'étendre sur une période de 10 à 15 ans, en commençant par les bureaux de Toronto, d'Ottawa, de Sudbury et de Chatham. Le projet de Toronto a été lancé en avril 1986.

ENSEIGNES (SIGNS)
Loi sur les municipalités, 210 (141-144)

Le Conseil municipal peut interdire ou réglementer les enseignes, en plus d'exiger l'enlèvement des enseignes non conformes.

Loi sur les municipalités, 309(3)

Le ministre a la pouvoir de réglementer les enseignes sur les propriétés à moins de 400 mètres d'une route provinciale. (Consulter à ce sujet l'ouvrage publié par le ministère sous le titre «Sign Control Policy for Field Advertising and Location Signs», qui peut se procurer auprès du Bureau de Gestion du Corridor de transport (235-3696)).

Enseignes ou support publicitaire qui n'est pas fixé en permanence au sol, à un bâtiment ou à une construction et destiné à être déplacé d'un endroit à un autre.

- panneaux de signalisation (traffic signs)
Loi sur l'aménagement du territoire, 40(1)(a)2

Les panneaux de signalisation sur les propriétés privées peuvent s'avérer nécessaires à titre de condition préalable à l'apposition d'un plan d'aménagement.

L'article 38 porte sur les exigences de construction et de surplomb doivent se trouver à au moins huit pieds d'un trottoir.

voir aussi ÉTABLISSEMENTS TOURISTIQUES; MOUTR - pompes à essence, - enseignes
OBSERVATION DE LA VUE
Réglement de l'Ontario, n° 925/75

Description et Remarques

Référence

Sujet

Si un emplacement affecté à la construction d'un route sans un arpentage d'origine est voté par le conseil municipal, cet emplacement ne peut pas être tenu ou être dévoté aux, sans l'approbation du ministre des Affaires municipales.

EMPLACEMENTS DE ROUTES QUI LONGENT L'EAU 298(3)

«Loi arabla» Couche du sol désignée comme l'horizon <2> et renfermant des matériaux organiques.

Volr Santé Publique - ; CHEMALS; MARINAS (Boats)

2 Les conseils municipaux peuvent adopter des règlements pour régler ou interdire l'usage des terres agricoles et prévoir la délivrance de permis et exiger la revalorisation des terres ou le sol arable a été enlevé. Ces règlements ne s'appliquent pas aux activités agricoles, aux tourbières ou à l'usage des terres agricoles en vertu de la Loi sur les puits d'extraction et carrières, la Loi sur les mines, etc.; ces règlements ne peuvent servir à empêcher la construction d'aménagements expressément autorisés en vertu de la Loi sur l'aménagement du territoire, de la Loi sur l'aménagement d'une ceinture de promenade ou de la Loi sur la planification et l'aménagement de l'escarpement du Niagara.

Enregistrement de règlements touchant les terres MONICIPAUX (Record of by-laws effecting

Tous les conseils municipaux doivent conserver un registre de leurs rues et numéros de lots, précisant les bornes des rues ainsi que leurs dimensions.

ENREGISTREMENT DES RUES, LOTS, ETC. (RECORD OF STREETS, LOTS, ETC.)

Le Système d'enregistrement des actes constitue un registre du document touchant les droits immobiliers ou un système de classement indexé pour les biens immobiliers. Il permet de s'assurer que les intérêts les plus récents apparaîtront sur le relevé des actes; cependant, l'acheteur doit toujours effectuer une recherche de titres sur l'existence juridique des actes enregistrés. Presque tous les documents ayant pour but de viser les droits immobiliers peuvent être enregistrés auprès d'un bureau d'enregistrement des actes, à la condition de respecter certaines formalités en ce qui concerne la signature, les affidavits du témoin et la description.

Loi sur l'enregistrement des actes et Loi sur l'enregistrement des droits immobiliers (Consummation et comence)

Le Système d'enregistrement des droits immobiliers est en fait un registre de titres qui établit officiellement les droits de propriété. Aucune cession ne prend effet enregistrée, elle ne peut être annulée, sauf en cas de fraude. Les droits sont garantis par la province, en plus d'être appuyés par une caution d'assurance; nul ne peut acquiescer des droits de propriété par la simple possession ou l'utilisation d'une terre. Les types de documents ou peut enregistrer sont peu nombreux et doivent révéler la forme prescrite par la loi.

- Guide des modalités pour l'enregistrement des droits immobiliers (Land titles procedural guide)

Il n'existe aucune règle d'application générale en vertu de laquelle on peut établir qu'un lot de terrain relève d'un système ou de l'autre. Le Système d'enregistrement des actes est le plus ancien. A l'origine, il s'appliquait à l'ensemble de la province. Presque toutes les terres du Nord de l'Ontario relèvent du Système d'enregistrement des droits immobiliers, qui a été adopté en 1885. A l'époque où ces peu de travaux d'aménagement avaient été réalisés dans cette partie de la province, dans le but de l'Ontario, les terres sont nommées au Système d'enregistrement des droits immobiliers par la décision volontaire du propriétaire, qui adresse au registraire des droits immobiliers une demande d'enregistrement en vertu de la Loi. Cependant, de nombreuses régions de la province relèvent exclusivement du Système d'enregistrement des actes et n'ont pas de bureaux d'enregistrement des droits immobiliers. (Voir la réglementation des droits immobiliers dans l'Annuaire municipal.) Le lotissement des terres par un plan enregistré est presque identique dans les deux systèmes. Si

24-32	Loi sur les ressources en eau de l'Ontario (Environnement)	Aucun réseau d'épout ne peut être aménagé ou agrandi sans l'autorisation du ministre. Avant qu'un municipalité permette préalable du ministre. Le ministre peut, à la Commission des affaires municipales de l'Ontario un arrêté pour fermer des routes au trafic, etc. Des accords peuvent être conclus entre municipalités pour l'utilisation que réseau d'épout. La Commission des affaires municipales peut ordonner de modifier un règlement de zonage afin d'utiliser le territoire pour un réseau d'épout. Ces ouvrages doivent toujours être entretenus à la satisfaction du ministre.	34	Les municipalités peuvent faire une demande pour que le ministre consulte et exploite un réseau d'épout à titre de projet.	43	Une zone de service public d'épout peut être désignée par le ministre et des conditions peuvent être imposées afin de réglementer, prévoir ou exiger un service d'épout dans la région.	44	Le ministre peut édicter des règlements relatifs aux épouts, etc. (Voir le règlement R.P.A. 305 : rejet d'épout d'embarras de plomberie.)	51, 52	Une entreprise industrielle ou commerciale peut être tenue par le ministre d'aménager les installations d'épout nécessaires et tout rejet par des ouvrages d'épout peut être interdit ou réglementé.	50	La SCHL peut consentir des prêts afin de faciliter la construction ou l'agrandissement d'un projet de traitement des rejets d'épout (jusqu'à concurrence d'un maximum de 2/3 des coûts). La Société peut également consentir des subventions, qui ne peuvent dépasser 25 % du montant du prêt consenti.	52	La SCHL peut financer jusqu'à 50 % des frais de préparation d'un plan régional global pour le système d'épout.	voir aussi AMÉNAGEMENTS PUBLICS; SERVICES PUBLICS; SANTS PUBLICS; AMÉNAGEMENTS COMMUNAUTAIRES; OUVRS	Loi sur l'aménagement des routes et des transports en commun, 109	Loi sur les municipalités, 298	Loi sur l'aménagement du territoire, 40 (1)-(9)	voir aussi RETRAITS; AMÉNAGEMENTS LOCALS; ROUTE	Loi sur les municipalités, 196	ELARGISSEMENT DES ROUTES (ROAD WIDENING (DEFERRED))	Le Conseil municipal peut prévoir l'aménagement ou l'élargissement d'une rue, mais en reporter les travaux pour une durée variant entre trois et dix ans. Les terres municipales sont acquises à la Société; cependant, le propriétaire peut en conserver la possession à titre provisoire. Sans arrêté à l'effet contraire par la Commission des affaires municipales de l'Ontario, l'indemnité n'est pas exigible avant l'entrée en jouissance des terres. La Loi sur l'expropriation ne s'applique pas dans ce cas.	voir aussi RETRAITS	voir aussi RETRAITS; PARCS À ROULOTTES	Élèves provenant de maisons mobiles (School pupils from mobile home)	Élimination des déchets (Refuse disposal)	Élimination des déchets dangereux (Hazardous waste disposal)	Élimination des déchets industriels (Industrial sewage disposal)	voir aussi RETRAITS; GESTION DES DÉCHETS - voir nuisances industrielles, voir nuisances industrielles
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ÉCONOMIES D'ÉNERGIE (ENERGY CONSERVATION)	Loi de 1980 sur la CEE	
- zones d'économies d'énergie	Un projet de loi privé a été adopté afin de permettre à la CEE de désigner comme une zone d'économies d'énergie toute d'aménagement effectuée dans cette zone doctement d'implémenter. Les travaux	
- déclaration de consommation d'énergie	précédée par une déclaration approuvée de consommation d'énergie, à moins que cette catégorie de travaux	
- programmes d'économies d'énergie	La Société est habilitée à offrir des services d'information, de conseil et d'inspection en ce qui concerne la consommation de toutes les formes d'énergie.	
- guide sur les effets d'ombrement (sun shadow guide)	On peut se procurer auprès de la librairie du gouvernement un guide sur les effets d'ombrement, un document publié en 1983 par le ministère de l'Énergie sous le titre «Sun Shadow Guide». Ce guide permet de connaître les conséquences de l'ombrement des immeubles dans la planification de la consommation énergétique.	
Église (Church)		
ÉGOUTS (SEWERAGE)	Loi sur la protection de cet article définit le terme «système d'égouts». La définition a été modifiée en 1983.	
- certificat d'approbation (certificate of approval)	64 Aucun bâtiment ne peut être construit, agrandi ou modifié si d'égouts, à moins qu'un certificat d'approbation n'ait été délivré au préalable par le ministère de l'Environnement. De même, aucun système d'égouts ne peut être aménagé ou modifié sans certificat.	
- lotissement, autorisation, consent	67 Personne ne doit utiliser un système d'égouts sans d'abord obtenir un permis.	
68 Un article peut être délivré à des personnes qui exercent des activités contrairement aux exigences d'un certificat ou d'un permis. S'il n'est pas donné suite à cet arrêté, des travaux peuvent être réalisés aux frais du propriétaire.	69 Personne ne peut construire, nettoyer, réparer ou viduer un système d'égouts sans permis.	
- lotissement, autorisation, consent	70 Un Conseil municipal peut conclure des accords avec le ministre pour la délivrance de certificats d'approbation ou de permis, ou encore pour la reddition d'arrêts ou l'exécution d'inspections en ce qui concerne des systèmes d'égouts projetés et des demandes de plans de lotissement ou de copropriété, ou encore de consentements ou de dérogations minuscules.	
- droits d'approbation (approval fee)	71 Les demandes d'approbation de plans de lotissement ou de copropriété peuvent être soumises à des droits d'inspection et à un certificat d'approbation. Les droits seraient fixés par la municipalité, par convention avec le ministre. Les demandes de consentements minuscules peuvent être soumises à ces droits, dans les cas où elles sont présentées à une municipalité, par convention avec le ministre. Aucune demande n'est soumise à ces droits si un ouvrage d'égouts a été agréé en vertu de l'article 24 de la Loi sur les ressources en eau de 1980.	
72 Le Conseil municipal peut réglementer le recours et le drainage, en plus d'exploiter des systèmes d'égouts.	77,78 Le Conseil municipal peut réglementer le recours et le drainage, en plus d'exploiter des systèmes d'égouts.	
73 Le Conseil municipal peut interdire et réglementer le rejet de déchets dans les systèmes d'égouts.	74,75 Le Conseil municipal peut interdire et réglementer le rejet de déchets dans les systèmes d'égouts.	
- impôts extraordinaires (special charges)	215 Avec l'approbation de la Commission des affaires municipales de l'Ontario, le Conseil municipal peut prélever des impôts extraordinaires au titre des travaux d'aménagement	
- intérêt de secteur (area rate)	218 Sous réserve de l'approbation de la Commission des affaires municipales de l'Ontario, le Conseil municipal peut prélever un impôt au titre des égouts aux occupants d'un certain qui peuvent être un ouvrage d'égouts à réaliser. Cet impôt ne s'applique qu'aux dépenses d'immobilisations et n'entre pas dans le calcul des dépenses de la municipalité. Les terrains qui retiennent un avantage peuvent être pris en compte, tout comme ceux qui en retiennent un avantage immédiat.	
17 Le Conseil municipal peut également fixer une redevance des services d'égouts, même si les travaux ont été réalisés en vertu de la Loi sur les aménagements locaux.	219 Les propriétaires de bâtiments peuvent être tenus, par règlement, de relier leurs bâtiments au réseau d'égouts. La gestion d'un système d'égouts peut être confiée à une commission des services publics	
Commission des services publics (public utility commission)	220 Loi sur les municipalités, 220	

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- expropriation	(expropriation)	Loi sur l'expropriation, 2(3)	Loi sur l'expropriation ne s'applique pas aux terres utilisées en vertu de la Loi sur le drainage.
- drainage en zone urbaine	(urban drainage)	Loi sur les municipalités, 210 (74, 75 et 82) et 208 (13 à 17)	Le Conseil peut prescrire et réglementer les drains des municipalités et peut aménager des drains de service entre municipalités à la borne d'une voie publique. Le Conseil légout jusqu'à la borne d'amenagement des circuits de drainage et des ouvrages de lutte contre les inondations. L'article 9.14 du Code du bâtiment de l'Ontario vise le drainage en zone urbaine.
- drainage agricole	(agricultural drainage)	Loi sur le drainage au moyen de tuyaux (Agriculture et Alimentation)	Cette loi prévoit l'accès de prêts à l'intention des exploitants agricoles de municipalités, afin de construire des circuits de drainage au moyen de tuyaux. Ces prêts sont remboursés au moyen d'un impôt prélevé sur les biens-fonds et finandés principalement par des déboursés municipaux vendus au résident de l'Ontario. Ces prêts doivent être remboursés intégralement, majorés des intérêts, dans les cas où les terres perdent leur vocation agricole avant le remboursement du prêt. Si un Conseil municipal refuse une demande ou réduit le montant demandé, le demandeur peut en appeler de cette décision auprès de la Commission de drainage de l'Ontario.
Droits d'accès	(Right of entry)	voir ACCÈS À LA PROPRIÉTÉ PRIVÉE	
droits d'information	(DREES FOR INFORMATION)	Loi de 1986 sur la Cité de Cornwall	La Société peut prélever des droits pour tous les renseignements écrits fournis par la Cité relativement à des biens-fonds, bâtiments ou constructions.
Droits de demande	(Application fees)	Loi sur l'aménagement du territoire, 68	La directive numéro 7 en vertu de la Loi de 1983 sur l'aménagement du territoire porte le titre «Droits de traitement des demandes d'aménagement».
droits de la personne en	droits de la personne en	Code des droits de la personne (1981) (Main-d'œuvre)	Le Code prescrit que toute personne a droit à un traitement égal, en matière de logement sans discrimination fondée sur l'âge, l'origine, l'état d'assisté social ou un handicap, la race, l'ascendance, la couleur, la croyance, le sexe,
	accommodation)		

DIRECTIVES (GUIDELINES)	Le ministre des Affaires municipales a publié un ensemble de directives sur les questions relatives à la Loi sur l'aménagement des localités du Nord de l'Ontario, la délimitation des pouvoirs du ministère, les aménagements communautaires, la prise en compte des nouveaux règlements, les principes en matière de vie publique, les droits de commandement d'aménagement, le zonage, la coordination des plans d'implantation, les plans officiels, les dérogations mineures et les utilisations non conformes. Le lecteur trouvera sous les rubriques pertinentes (bruit, évaluations environnementales, etc.) des renvois à ces directives et à d'autres sujets.	
Directives en matière de terres agro-alimentaires (Food Land guidelines)		
Description	voir Droits de la Personne	
(Discrimination)	DANS DES LOCAUX D'HÉBERGEMENT	
Distance d'éloignement (Separation distance)	voir COMPATIBILITÉ DE L'UTILISATION DU SOL; POLLUTION AGRICOLE	
Délimitées	voir NUISANCES INDUSTRIELLES	
(Distilleries)		
DISTRICT EN VOIE D'ORGANISATION (IMPROVEMENT DISTRICT)	Loi sur les municipalités, 10(2), 11, 357-359	
	Loi sur les affaires municipales, Partie III	
DIVERTISSEMENT POUR ADULTES (ADULT ENTERTAINMENT)	Loi sur les municipalités, 222	
	Loi sur les salles de cinéma, 16(2)	
	voir aussi SALONS DE MASSAGE	
Division territoriale (Territorial division)	voir LIMITES MUNICIPALES	
DOCUMENTS BILINGUES (BILINGUAL DOCUMENTS)	Loi sur les municipalités, 104a	
	Les municipalités peuvent adopter en anglais seulement ou en anglais et en français leurs règlements et résolutions. Il en va de même des plans officiels.	
DRAINAGE (DRAINAGE)	Loi sur le drainage	
	(Agriculture et Alimentation)	
	11(1)	
	Ces articles définissent les modalités et exigences relatives à l'aménagement des drains par accords réciproques, demandes et pétitions.	
	11-20	
	Un rapport d'ingénieur doit être établi afin de définir l'étendue et la nature des ouvrages de drainage à réaliser.	
	21-46	
	drainage est prévue pour les propriétés visées.	
- Evaluation des frais et des avantages (Cost and benefit assessment)		
- appels (appeals)	Les appels portant sur les aspects techniques des propositions d'ouvrages de drainage peuvent être interjetés auprès de la Commission de drainage de l'Ontario. Les appels portant sur les questions juridiques peuvent être interjetés auprès de l'arbitre.	
- Impôts régionaux (area levy)	60-61	
	financer des ouvrages de drainage doit imposer un impôt extraordinaire sur le terrain qui fait l'objet de l'évaluation pour l'ouvrage.	
	83(1)	
	Sauf autorisation d'un règlement agréé par le ministre de l'Environnement, personne ne peut rejeter dans des ouvrages de drainage des substances autres que des eaux de drainage non polluées.	
	85-90	
	Les subventions provinciales destinées à financer l'aménagement d'ouvrages de drainage varient de 33 1/3 % dans les territoires non érigés en municipalité.	
	Le ministère de l'Agriculture a publié sous le titre «Drainage legislation» une fiche de renseignements datée de mars 1986.	

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DEBENTURES (DEBENTURES)	142 157	Loi sur les municipalités,			
DECLASSAGE DU SOL (Soli reclassification)		VOIR ENLÈVEMENT DES MORTS-TERRAINS			
DECLASSAGE DE REMBLAIS (DUMPING OR FILL)		Loi de 1980 sur la Cité de Windsor			
DECLASSIFICATION DE LA NATURE; TERRES PUBLIQUES - EAUX NAVIGABLES		VOIR ASSAULT PROTECTION DE LA NATURE; TERRES PUBLIQUES - EAUX NAVIGABLES			
DECHARGES (Dumps)		VOIR ELIMINATION DES DECHETS; REMBLAIS			
DECHETS AGRICOLES (AGRICULTURAL WASTE)		Loi sur la protection de l'environnement, règlement 309			1.3 «Déchets agricoles» Déchets, autres que les déchets de débris, qui résultent de l'exploitation agricole, y compris l'élevage et, s'il s'agit d'une exploitation agricole, cette définition s'étend aux déchets qui proviennent de l'emballage et de la conservation d'aliments, de l'abattage d'animaux ou de la salaison.
DECHETS INDUSTRIELS (Industrial Waste)		VOIR GESTION DES DECHETS			
DECHETS LIQUIDES (Liquid Waste)		VOIR GESTION DES DECHETS			
DECHETS SOLIDES (Solid waste)		VOIR REMBLAI			
DECLARATION MUNICIPALE EN MATIERE DE LOGEMENT (Municipal Housing Statement)		VOIR LOGEMENT -			
DECLARATIONS DE PRINCIPES (POLICY STATEMENTS)		Loi sur l'aménagement du territoire, 3			Les deux premières déclarations provinciales en vertu de la Loi sur l'aménagement du territoire portent sur les aggrégats miniers et les terres agro-alimentaires. Deux autres déclarations de principes ont été diffusées afin de consulter le grand public; elles portent sur les terres agro-alimentaires et le logement. Les déclarations de principes ultérieures porteront sur les terres marécageuses, la compatibilité environnementale de l'utilisation des terres, la protection des rivières et le Nord de l'Ontario.
DECLARATION D'INTERDICTION DE VOIR ACCES DES VEHICULES AUTOMOBILES A LA PROPRIÉTÉ		Loi sur l'aménagement du territoire, 4			La Directive n° 3 de la Loi de 1983 sur l'aménagement du territoire porte le titre «Délégation des pouvoirs du ministère».
DÉLÉGANCE DE PERMIS ET RÉGLEMENTATION (LICENSING AND REGULATING POWER)		Loi sur les municipalités, 110			Le pouvoir de délivrer des permis comprend le pouvoir d'interdire et de réduire un permis, à la discrétion du Conseil municipal. Cependant, les tribunaux ne semblent pas interpréter cette disposition de la même façon que les tribunaux. Voir par exemple la cause Mallick c. Eldon, prononcée par la Cour suprême du Canada, 19 mars 1981, Cité de Vanier, 19 mars 1981, Cour suprême du Canada.)
DEMOLITION, RÉGLEMENTATION (DEMOLITION CONTROL)		Loi sur le code du bâtiment, 112 (Logements) Code du bâtiment de l'Ontario : 2.5.1.4 à 2.5.1.7 et Partie 8			«Démolition». Tous les travaux qui consistent à enlever un bâtiment ou toute partie essentielle de ce bâtiment.
DEVELOPPEMENT - chemin privé (Show) - voir CHEMIN PRIVÉ - développement		Loi de 1984 sur la Cité de Toronto			Le Conseil municipal de Toronto peut retarder la démolition d'un bâtiment résidentiel de six logements ou plus pour une durée pouvant atteindre 365 jours.
		Loi sur les biens culturels de l'Ontario (Cultural Communications)			Partie IV de la Loi sur les biens culturels de l'Ontario. L'historique peut être révisé par une mention aux termes de la démolition des immeubles qui revêtent une importance historique.
		Loi sur l'aménagement du territoire, 33			L'article 33 de la Loi sur l'aménagement du territoire donne aux conseils municipaux le pouvoir de décider de démolir un bâtiment résidentiel dans une zone définie. Si le Conseil est d'accord, le Code du bâtiment régit le mode de démolition du bâtiment.

COPIERIE SUR UN TERRAIN	Loi sur la copropriété par	210(59) et 4(1)(e)	Loi sur la copropriété par
VACANT	déclaration, 3(1) et 4(1)(e)	(Consommation et Commerce)	
(VACANT LAND CONDOMINIUM)			
CORRÉE LÉGALE	Loi sur les corrées légales,	3,4 (Transports; Affaires municipales)	
(STATUTE LABOUR)			
COUR DE FERRAILLE AUTOMOBILE	Loi sur les municipalités,	210(130) et 228	
(AUTOMOBILE WRECKING YARD)			
Code de la route, 41	Les concessionnaires de véhicules automobiles ou de		
	remorques, les ferrailleurs d'automobiles et les		
	concessionnaires de voitures d'occasion doivent se procurer		
	un permis auprès du ministre. Un agent nommé en vertu de		
	la loi ou un constable est autorisé à avoir accès à leur		
	établissement pour enquête et inspection.		
COURS À FERRAILLE	Le Conseil municipal peut agréer et réglementer les cours de		
(JUNK YARDS)	voitures, etc.		
Loi sur la santé publique, 131	Tous les endroits où des débris, chiffons, os, déchets,		
	etc. sont entreposés doivent être agréés par le		
	médico-hygiéniste.		
Loi sur les municipalités, 228	Le Conseil municipal peut interdire ou réglementer les		
	cours de véhicules automobiles ou de motocyclettes dans		
	tous les secteurs de la municipalité.		
COURS DE VÉHICULES			
AUTOMOBILES			
(MOTOR VEHICLE RACING)			
Crematorium			
(Crematorium)			
voir CINÉTIQUE			

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[illegible]

COMPATIBILITÉ ENVIRONNEMENTALE (ENVIRONMENTAL COMPATIBILITY)	Loi sur l'aménagement du territoire, 3	Un projet de déclaration de principes de la province a été établi et diffusé en 1988 pour débat public. Les directives d'application font partie de ce document.
COMTÉ (COUNTY)	Loi sur les municipalités, 1 et 1, Loi sur l'aménagement du territoire, 1(8)	La Loi sur les municipalités et la Loi sur l'aménagement du territoire font une distinction entre une «municipalité locale», qui exclut le comté, et une «municipalité», définie comme une «localité dont les habitants sont intégrés» (Loi sur les municipalités) ou une «municipalité locale, un comté et une municipalité régionale, métropolitaine ou de district» (Loi sur l'aménagement du territoire).
COMTÉS ET DISTRICTS (RESTRICTED COUNTIES, DISTRICTS)	(Affaires municipales) Loi sur le Comté d'Oxford	Le Comté d'Oxford a été restauré en 1974 et est doté d'une forme limitée de gouvernement régional. Certains activités d'aménagement sont exercées au palier du comté (morcellement des terres, plan officiel).
COMTÉS ENVIRONNEMENTAUX (RESTRICTED ENVIRONMENTAL COUNTIES)	Loi de 1979 sur l'administration locale du District de Perry Sound	Les cantons et villes ont été regroupés en circonscriptions régionales de Perry Sound. Aucune forme de gouvernement régional n'a été constituée.
CONCEPTION URBAINE (Urban Design)	COMMERCE LOI ZONE D'AMLIORATION	Conception urbaine
CONDITIONS DE L'UTILISATION (Land use conditions)	Loi sur l'aménagement du territoire, 9-14	On entend par «conseil local» un conseil de l'éducation, une commission de services publics, une commission de transport, un conseil de bibliothèques publiques, un conseil de la gestion des parcs, un conseil de santé, un conseil de commissions de police, un conseil d'aménagement ou tout autre conseil, comité, organisme ou office local constitué ou exerçant des pouvoirs en vertu d'une loi générale ou particulière à l'égard de l'une quelconque des affaires ou activités, y compris à des fins scolaires, d'une ou de plusieurs municipalités ou parties de ces municipalités.
CONFLIT D'INTÉRÊTS (CONFLICT OF INTEREST)	(Affaires municipales) d'intérêts municipaux	Les membres des conseils municipaux ou des commissions locales qui ne divulguent pas leur participation financière directe ou indirecte dans toute question portée à l'attention d'une réunion du conseil municipal ou local, notamment un comité ou tout autre organisme, sont passibles, sur demande d'un électeur, communiqué à un juge d'un tribunal de comté ou de district, de la déclaration de vacance de leur siège et de leur destitution à titre de membres du conseil municipal ou local pour une durée pouvant atteindre sept ans, en plus de ne pouvoir être réélus dans leurs fonctions.
CONFIRMATION DE DROITS IMMOBILIERS (QUIETING TITLE)	(Procureur général) droits immobiliers	Cette Loi concorde les recherches sur la validité des titres sur des propriétés et la déclaration subéquente par un juge de la Cour suprême qui contiennent un titre. Le certificat du titre peut être délivré et enregistré.
- certificat d'un titre (CERTIFICATE OF TITLE)		
CONFLIT D'INTÉRÊTS (CONFLICT OF INTEREST)	(Affaires municipales) d'intérêts municipaux	Les membres des conseils municipaux ou des commissions locales qui ne divulguent pas leur participation financière directe ou indirecte dans toute question portée à l'attention d'une réunion du conseil municipal ou local, notamment un comité ou tout autre organisme, sont passibles, sur demande d'un électeur, communiqué à un juge d'un tribunal de comté ou de district, de la déclaration de vacance de leur siège et de leur destitution à titre de membres du conseil municipal ou local pour une durée pouvant atteindre sept ans, en plus de ne pouvoir être réélus dans leurs fonctions.
CONSEIL LOCAL (LOCAL BOARD)	Loi sur les affaires municipales, 1(c)	On entend par «conseil local» un conseil de l'éducation, une commission de services publics, une commission de transport, un conseil de bibliothèques publiques, un conseil de la gestion des parcs, un conseil de santé, un conseil de commissions de police, un conseil d'aménagement ou tout autre conseil, comité, organisme ou office local constitué ou exerçant des pouvoirs en vertu d'une loi générale ou particulière à l'égard de l'une quelconque des affaires ou activités, y compris à des fins scolaires, d'une ou de plusieurs municipalités ou parties de ces municipalités.
CONSEIL D'AMÉNAGEMENT (Planning Board)	Loi sur l'aménagement du territoire, 9-14	On entend par «conseil local» un conseil de l'éducation, une commission de services publics, une commission de transport, un conseil de bibliothèques publiques, un conseil de la gestion des parcs, un conseil de santé, un conseil de commissions de police, un conseil d'aménagement ou tout autre conseil, comité, organisme ou office local constitué ou exerçant des pouvoirs en vertu d'une loi générale ou particulière à l'égard de l'une quelconque des affaires ou activités, y compris à des fins scolaires, d'une ou de plusieurs municipalités ou parties de ces municipalités.
CONSEIL LOCAL DE SANTÉ (Local board of health)	Loi sur la protection de l'environnement, 1(1)(a)	On entend par «conséquences préjudiciables» :
CONSÉQUENCES PRÉJUDICIALES (ADVERSE EFFECTS)	Loi sur la protection de l'environnement, 1(1)(a)	(1) Les conséquences négatives sur la qualité de l'utilisation qui puisse en être faite; (11) Les dommages ou dégâts causés aux biens ou à la faune et à la flore; (111) Les préjudices ou inconvénients importants causés à toute personne; (14) Les conséquences préjudiciables sur la santé d'une personne; (4) Les conséquences nuisibles pour la sécurité des personnes; (41) Le fait de rendre un bien ou la flore et la faune impropres à l'utilisation par des personnes; (411) La perte de jouissance normale de biens; et (4111) Les empêchements causés dans le cadre du déroulement normal d'activités commerciales; Cette définition est employée à la partie IX de la Loi, qui porte sur les DÉVERSEMENTS.

COMMISSION DES AFFAIRES MUNICIPALES (MUNICIPAL BOARD)	Lot sur la Commission des affaires municipales de l'Ontario (Procureur général)	La Commission des affaires municipales de l'Ontario a les pouvoirs d'un tribunal officiel. Elle peut notamment rendre des décisions sur des questions de droit ou de fait.	33-34
		Le lieutenant-gouverneur en conseil peut saisir la Commission de toute question relative à une municipalité, un chemin de fer ou un service public qui relève de sa compétence.	44
- appel (appeal)	42	La Commission peut tenir une nouvelle audience sur toute demande qui lui est soumise avant de rendre sa décision, ou pour commander, abroger ou modifier toute décision, approbation ou ordonnance rendue par elle.	42
		Le lieutenant-gouverneur en conseil peut confirmer, modifier ou abroger une décision de la Commission des affaires municipales de l'Ontario et peut exiger une nouvelle audience.	94
95	69	On peut demander à une cour d'appel la permission d'en appeler d'une décision de la Commission des affaires municipales de l'Ontario sur une question de droit ou de compétence. Cette cour donne une certification de son opinion à la Commission, qui doit émettre une ordonnance en conséquence.	95
		L'établissement des frais des audiences tenues devant la Commission des affaires municipales de l'Ontario est laissé à sa discrétion. En 1988, la Commission a publié des directives sur les frais, qu'on peut se procurer auprès de son bureau de renseignements (416-596-2266).	69
- règles de procédure (rules of procedure)	voir PROTECTION DES BIENS CULTURELS	Les règles de procédure actuelles de la Commission sont entrées en vigueur le 1 ^{er} janvier 1988.	69
		Commission des biens culturels (Conservation Review Board)	69
COMMISSION DES ÉVALUATIONS ENVIRONNEMENTALES (ENVIRONMENTAL ASSESSMENT BOARD)	Lot sur les évaluations environnementales (Environnement), Partie III	La Commission prend des décisions dans le cadre de la Loi sur les évaluations environnementales (quand elle est saisie d'une demande d'audience du ministre), ainsi que de la Loi sur la protection de l'environnement et de certaines ressources en eau de l'Ontario à l'égard de certaines questions relatives à l'élimination des déchets et de certains ouvrages d'égouts. Toute décision de la Commission en vertu de la Loi sur les évaluations environnementales peut être modifiée ou une nouvelle audience peut être accordée par le ministre, avec l'approbation du Conseil des ministres. Les audiences de la Commission en vertu de la Loi sur les ressources en eau de l'Ontario et de la Loi sur la protection de l'environnement sont régies par les articles 6 et 33 desdites lois.	69
		Commission mltie (Joint board)	69
COMMISSIONS LOCALES DES SERVICES PUBLICS (LOCAL SERVICES BOARD)	Lot sur les Commissions locales des services publics (Développement du Nord et Mines)	Le ministre peut créer une Commission locale des services publics dans une collectivité située dans un territoire sans Organisation municipale. L'arrêté constituant cette Commission peut autoriser cette dernière à exercer sa compétence sur l'alimentation en eau, la collecte et le traitement des égouts, l'entretien des routes, la protection contre les incendies ou les loyers.	69
		Lot sur les Commissions locales des services publics (Développement du Nord et Mines)	69
COMMITTEES LOCALS DES SERVICES PUBLICS (LOCAL SERVICE BOARDS)	Lot sur les Commissions locales des services publics (Développement du Nord et Mines)	Une Commission peut se composer de trois ou cinq membres élus chaque année. Un supplément peut être ajouté par le ministre du Revenu à l'impôt foncier provincial encaissé dans la région qui relève de la Commission et des subventions peuvent être accordées par le ministre des Affaires du Nord afin de financer les frais d'exploitation de la Commission. En 1988, environ huit de ces Commissions exerçaient leurs activités. On peut les retrouver dans l'Annuaire municipal, sous le nom du district où elles sont situées. Les autres commissions créées à la fin de 1988 comprennent Kenogami, Wharfedale, Mills, Tilden Lake, Moneriville, Laurier et Phelps.	69
		Publiée en 1984 sous le titre "Environmental", la politique du ministère de l'Environnement définit les principes directeurs de ce dernier dans la recommandation d'attribution et des autres mesures de réglementation sur l'aménagement de l'utilisation du sol.	69

-	Code du bâtiment de l'Ontario (Ontario Building Code)	Le Code du bâtiment de l'Ontario énumère les exigences administratives et techniques de la conception et de la réalisation des bâtiments. Certaines parties du Code portent sur les modalités d'aménagement. Des guides illustrés ont été publiés pour les Parties 3, 5, 9 ainsi que pour l'article 3.7 du code.
-	territoire non irrigé en municipalité (unorganized territory)	Cette partie définit les éléments du code qui régissent différentes catégories de bâtiments, fixe les critères de conception professionnelle et définit la marche à suivre pendant les travaux de construction; cette partie précède les catégories de permis pour ces bâtiments. Tous les bâtiments agricoles sont domiciliés dans le territoire concerné, qu'un permis soit nécessaire ou non.
-	bâtiments agricoles (farm buildings)	Les bâtiments agricoles à usage non domiciliaire sont exempts de l'obligation du permis de construire et la conseil municipal n'a pas adopté de règlement qui prescrit la catégorie de permis pour ces bâtiments. Tous les bâtiments agricoles sont domiciliés dans le territoire concerné, qu'un permis soit nécessaire ou non.
-	bâtiments préfabriqués (manufactured buildings)	Les bâtiments préfabriqués doivent respecter le Code, à l'exception des maisons mobiles de moins de 4,3 m de largeur.
-	bâtiments préfabriqués (manufactured buildings)	Les bâtiments préfabriqués doivent respecter le Code, à l'exception des maisons mobiles de moins de 4,3 m de largeur.
-	Partie 3 : Utilisation et occupation (des gros bâtiments)	Les bâtiments sont classés selon leur principale vocation.
-	accès sans clôture (barrier-free access)	La Partie 3 s'applique aux bâtiments à vocation collective, institutionnelle et industrielle à risques élevés, ainsi qu'à tous les bâtiments de plus de 6 000 pieds carrés de superficie bâtie ou de trois étages de hauteur. Les exigences en matière de démarcation de l'espace peuvent avoir une incidence sur l'aménagement des lieux. L'article 3.7 exige que certains bâtiments soient conçus pour permettre un accès sans clôture.
-	démolition (demolition)	Cette partie porte sur la conception de la structure.
-	aménagement des lieux (site planning)	Partie 4 : Conception
-	renovation (renovation)	Partie 5 : Protection contre le vent, l'eau et la vapeur
-	application (enforcement)	Partie 6 : Services du bâtiment
-	Code national du bâtiment	Partie 7 : Chauffage et conditionnement de l'air (ajout éventuel)
-	Code national du bâtiment	Partie 8 : Démolition
-	Code national du bâtiment	Partie 9 : Logement et petits bâtiments
-	Code national du bâtiment	Contraintes à la Partie 3, la conception et l'étude des lieux ne doivent pas obligatoirement être confiées à un professionnel pour les petits bâtiments.
-	Code national du bâtiment	Les exigences en ce qui concerne l'alignement entre les bâtiments peuvent avoir une incidence sur l'aménagement des lieux.
-	Code national du bâtiment	Partie 11 : Renovation domiciliaire
-	Code national du bâtiment	Une Partie sur la rénovation domiciliaire a été ajoutée au Code en 1984. Cette Partie a pour but d'étendre la Partie 9 à tous les bâtiments existants. Un carnet de renseignements relatifs à la Partie 11 a été publié en 1985 et réédité en 1986.
-	Code national du bâtiment	«The Enforcement of the Ontario Building Code Act» est un article qui résume des renseignements utiles. Il est cité par le New Media Council, auparavant sous-procureur de la Cité de North York; cet article a été publié en mars 1983 dans les Municipal and Planning Law Reports.
-	Code national du bâtiment	Le Code national du bâtiment sert de modèle pour l'établissement des codes provinciaux et territoriaux. Il est également utilisé dans la politique hypothécaire de la SCHL.
-	Code national du bâtiment	Le Code national du bâtiment sert de modèle pour l'établissement des codes provinciaux et territoriaux. Il est également utilisé dans la politique hypothécaire de la SCHL.

Description et Remarques

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CERTIFICAT DE CONFORMITÉ

(CERTIFICATE OF COMPLIANCE)

Le Code de pratique agricole précise qu'un Certificat de conformité est délivré à la suite de l'évaluation d'une unité de production de bétail, de son système d'élevage et de la qualité de sa gestion. Ce certificat est délivré en commun par les ministères de l'Environnement, et de l'Agriculture et de l'Alimentation; Il atteste de la compétence de l'exploitant agricole en ce qui concerne les mesures de lutte contre la pollution.

voir aussi Loi sur l'aménagement du territoire, 31(21) objet : entretien et occupation

Certificat de propriété

voir CONFIRMATION DE DROIT IMMOBILIER

CHALET

(COTTAGE)

L'article 9.37 du Code du bâtiment de l'Ontario prévoit, celles qui s'appliquent normalement aux résidences. Le numéro d'acte 1981 de Municipal World comprend un compendium chronologique des décisions sur les règlements en matière de chalets et de loges saisonniers.

voir aussi TERRES PUBLIQUES -

voir ROUTE -

Chemin à accès limité

(Controlled access road)

voir ROUTE -

Chemin d'accès

voir ROUTE -

Chemin de canton

voir ROUTE -, RÉPARATION DES CHEMINS

Chemin de comté

voir ROUTE -

Chemin forestier

voir ROUTE -

Chemin à location à bail

voir ROUTE - location à bail, etc.

Chemin - location à bail

(Road-leasing or untraveled portion)

Chemin privé

voir aussi ACCÈS DES VÉHICULES AUTOMOBILES À LA PROPRIÉTÉ

- déneigement

(snowplowing)

Chemin sur des terres publiques

voir TERRES PUBLIQUES

CHENALS DANS LES LOTISSEMENTS

(WATER CANALS IN SUBDIVISION)

Loi sur les municipalités, 216

Avec l'abrogation de l'article 429 de la Loi sur les municipalités (LRO de 1970), les municipalités ne sont plus dispensées de leur responsabilité dans le déneigement des chemins privés ou des chemins non ouverts.

Le Conseil peut accepter le transport de biens-fonds qui figurent sur des plans enregistrés de lotissement pour des canaux et peut entretenir des canaux. Les frais d'entretien peuvent être répartis sur les propriétés voisines. L'utilisation des canaux peut être réglementée et des limites peuvent être imposées pour la circulation des embarcations. Les propriétés voisines peuvent être autorisées à construire des quais pour lesquels ils peuvent devoir payer des droits annuels.

CINÉTIÈRE

(CINEMERY)

Loi sur les cinétières (Consommation et Commerce)

Circoscription sanitaire

voir SANTÉ PUBLIQUE -

CIRCULATION

(TRAFFIC)

Loi sur les municipalités, 210(117)

Code de la route

169 Un règlement visant la circulation automobile doit être déposé auprès du ministre. S'il concerne la circulation sur une voie de jonction, ce règlement doit être approuvé par le ministre.

63 La fermeture d'un cimetière exige un décret du ministre.

58,59 L'enlèvement des dépouilles exige l'accord du ministre.

41 Un cimetière peut être aménagé et agrandi par expropriation.

5 Aucun cimetière ne peut être aménagé ou agrandi sans l'approbation du ministre.

1 Cette Loi définit les termes «columbarium», «crématorium», «mausolée» et «cimetière».

97-108 Les véhicules lourds peuvent être assujettis à l'obtention d'un permis pour pouvoir circuler sur certaines routes.

Description et Remarques

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Cablnets extérieurs (Outhouses)	voir ÉNERGIE HYDRO-ÉLECTRIQUE - POTERAIL POUR LE TRANSPORT DE L'ÉLECTRICITÉ, fils	voir GARAES, SANTÉ PUBLIQUE	
Câblage (Wiring)			
Camp d'été (Summer camp)	voir SANTÉ PUBLIQUE - camps		
CANALISATION (Utility line)	Loi sur la Commission de l'énergie de l'Ontario, 1(23) On entend par «canalisation» un pipeline, une ligne de téléphone, de télégraphe, d'électricité ou d'adduction d'eau, ou toute autre ligne qui fournit un service ou un bien au grand public.	voir ROUTE - DRAINAGE	
Canaux (Canals)	voir CHENAIS DANS LES LOTISSEMENTS		
Canton composé (Composite township)	Canton constitué en municipalité et composé de plusieurs cantons géographiques ou d'un canton géographique et d'une zone comme un secteur minier ou une île importante ou un district en voie d'organisation.	voir AGREGATS MINÉRAUX	
Cartes (Maps)	On peut se procurer à la Librairie du gouvernement de l'Ontario, au prix de 5 \$, l'ouvrage intitulé «Maps: A Map Index for Community Planning in Ontario».		
CARTES TOPOGRAPHIQUES (TOPOGRAPHIC MAPS)	voir aussi SYSTÈME DE COORDONNÉES DE L'ONTARIO		
CEINTURE DE PROMENADE (PARKWAY BELT)	Loi sur l'aménagement d'une ceinture de promenade (Atténuées municipales)		
Centres communautaires (COMMUNITY CENTRES)	Loi sur les centres de loisirs communautaires (Tourisme et Loisirs)		
- arrêts de zonage (zoning orders)			
- évaluation fixe (fixed assessment)			
- municipale (municipality)			
- utilisation commune (joint use)			
Centres d'accueil (Hostels)	voir ÉTABLISSEMENTS DE SANTÉ ET DE SERVICES SOCIAUX		
CENTRES POUR PERSONNES AGÉES (ELDERLY PERSONS CENTRES)	Loi sur les centres pour personnes âgées (Services sociaux et communautaires)		
Certificat d'occupation (Certificate of occupancy)	Loi sur l'aménagement du territoire, 34(c)		

- arrêté d'interdiction (control order)		113-139	Les directeurs des directions au sein du Ministère peuvent cas autorisés par la Loi) afin de prévenir ou d'arrêter la
- Règlement municipal (municipal by-law)		135	Le Conseil d'un municipalité locale peut adopter des règlements sur l'émission de bruits, prescrire des niveaux de bruits admissibles maximums, prévoir l'agencement de bruits et prescrire des modalités pour le calcul des niveaux de bruits. Ces règlements sont soumis à l'approbation du ministre. Un modèle de règlement municipal contre le bruit a été établi par le ministre de l'Environnement (août 1978). L'ouvrage renfermant ce modèle de règlement comprend également des publications connexes sur les critères suivants: «Guidelines for Noise Control in Rural Land Use Planning», «Guidelines for Noise Control in Urban Areas» et «Guidelines on Information Required for the Assessment of Planned Stationary Sources of Sound».
- Bruit de véhicule (vehicular noise)	Code de la route, 57		Les bruits, émanations ou fumées excessifs de véhicules sont interdits.
- Bruit d'autoroute (freeway noise)			Le poltigue de la province est définie dans l'ouvrage intitulé «Guidelines on Noise and New Residential Development Adjacent to Freeways» (avril 1979), publié par le Ministère des Affaires municipales et du Logement. La SCHL a publié un document intitulé «Le bruit du trafic routier et ferroviaire et ses effets sur l'habitation» (1977).
- aménagement de l'utilisation du sol (land use planning)			Le Ministère de l'Environnement a publié en 1987, sous le titre «Environmental Noise Assessment in Land Use Planning», un manuel qui définit les principes et les modalités d'évaluation du bruit et de ses incidences en matière d'aménagement de l'utilisation du sol. Le Ministère de l'Environnement a un modèle de prévision du bruit qui permet d'établir les niveaux de bruit prévus dans les nouveaux aménagements proches des artères.
- Bruit d'aéroport (airport noise)			Le Ministère des Affaires municipales administre la réglementation en matière d'utilisation des terrains près des aéroports, publiée en 1978 par le Ministère du Logement. Cette politique adopte les normes visées dans le document la SCHL intitulé «Nouveaux secteurs résidentiels à proximité des aéroports». Le lecteur est invité à consulter les courbes de prévision d'ambiance sonore, publiées par la SCHL, pour la plupart des aéroports, ainsi que les courbes de prévision à long terme d'ambiance sonore, qui correspondent à des prévisions de plus longue portée publiées par le Ministère des Affaires municipales pour quelques aéroports. Les courbes d'ambiance sonore tiennent compte du bruit produit par tous les types d'appareils dans un aéroport, en prenant en compte le nombre de vols, la durée du bruit, l'heure du jour et les éléments de la fréquence du son (tons purs).

Auditium	voir SALLE PUBLIQUE; LOISIRS		
Automobile	voir VÉHICULE AUTOMOBILE, LAVE-AUTO		
Automobiles	voir MOTONEIGES		
AUTORISATION (Consent)	Loi sur l'aménagement du territoire, 49(1), 52, 53		
Autoroute	voir ROUTE -; BRUIT		
AVENUES (CANOPIES)	Loi sur les municipales, 309(3)		
Avia	voir PARTICIPATION DU GRAND PUBLIC - avis et oppositions		
AVOIR AGRICOLE (AGRICULTURAL HOLDING)	Définition du recensement de 1981		
- propriété étrangère (foreign ownership)	Loi sur l'enregistrement des droits sur les biens-fonds agricoles des non-résidents (Agriculture et Alimentation)		
	Loi sur les droits de cession immobilière (Revenu)		
	Afin de combler un vide juridique, cette Loi dispose qu'une cession imposable de biens-fonds agricoles intervenant dans les cas où une société qui possède des terres agricoles en Ontario d'éviter l'impôt de 20 % en achetant des actions dans une entreprise qui possède des terres agricoles en Ontario.		
	Les étrangers propriétaires d'une participation sur au moins dix hectares de biens-fonds agricoles doivent déposer un rapport d'entrejurement. Ils doivent ensuite acquitter des droits de cession immobilière.		
	Un avoir agricole s'entend d'une exploitation agricole, d'un ranch ou d'un autre avoir agricole dont le chiffre d'affaires sur les produits agricoles en 1980 s'est élevé à un minimum de 250 dollars.		
	Le Conseil municipal peut autoriser l'installation d'auvents en surplomb des trottoirs, moyennant des droits annuels.		
	La librarie du gouvernement de l'Ontario.		
	Le ministre des Affaires municipales et du Logement, après de l'accepter peut se procurer ces directives, établies par le à la Loi sur les évaluations environnementales, ou aux dispositions en matière d'installations délaiguées. Le à l'intention des comités de lotissement, des comités de l'arrondissement de terrain : Directives en matière d'aménagement		
	Séparation de terrain : Directives en matière d'aménagement		
	On a souvent recouru à la Loi sur la jonction des audiences dans le cas où une audience qui se déroule devant la Commission des affaires municipales de l'Ontario et qui porte sur un projet de rezonage ou la modification d'un plan officiel ou encore l'approbation d'une opération de financement d'immobilisations par la municipalité peut s'avérer nécessaire pour un projet qui est également soumis à la Loi sur les évaluations environnementales, ou aux dispositions en matière d'installations délaiguées. Le à la Loi sur la protection de l'environnement (pour les projets d'élimination des déchets).		
	INTERVENANTS (COMMISSION); FINANCEMENT PAR EXAMEN		
	GRAND PUBLIC; EVALUATIONS		
	voir aussi PARTICIPATION DU		



Sujet

Référence

Description et Remarques

-	Obstructions	
34,	Personne ne peut planter d'arbres ou d'arbustes à moins de 45 mètres d'une route principale ou d'une voie à accès restreint ou encore à moins de 180 mètres d'une intersection, sauf sous réserve d'un permis du ministre.	107
38(2)b		
107	Une commission des routes de municipalité ou subordonnées peut planter des arbres sur des routes et en implanter les frais à l'entretien.	21(10)
	Le Conseil municipal peut autoriser la plantation d'arbres sur des routes et faire financer ces travaux par des particuliers.	
	protection de la nature est habilitée à planter et à produire des arbres sur des terres de la couronne ou autres.	
	(Richesses naturelles)	
	(Richesses naturelles)	
	Lot sur les arbres	
	(Richesses naturelles)	
	Lot sur les zones agricoles de l'Ontario.	
	d'arbres plantés sur la limite d'un terrain appartenant en commun aux propriétaires qui sont voisins.	
	Le conseil d'un comté ou le conseil d'une municipalité autonome peut réglementer et restreindre la coupe des arbres, avec l'approbation écrite du ministre. Le comté de septembre 1985 de Municipal World expose une décision d'un tribunal annulant un règlement exigeant un permis avant de couper des arbres.	
4		
	Le conseil d'une municipalité	
	5	
	Cet article énumère certaines exceptions à l'application de l'article 4. L'une de ces exceptions n'a pas d'incidence sur la destruction d'arbres afin de construire un bâtiment pour lequel un permis de construire a été délivré.	7-12
	Les conseils municipaux peuvent acquérir et entretenir des terres pour des activités forestières, en plus d'encourager le reboisement sur la propriété privée en accordant des exemptions au titre des impôts en général et en volant et cédant les terres aux frais de la municipalité.	
	Cette loi porte sur la vente de bois de la Couronne, la délivrance de permis pour couper du bois de la Couronne, aux exigences imposées aux plans de gestion forestière, aux plans d'exploitation, aux plans annuels et aux stocks, l'accord de location, etc.	
	Le Centre de recherche sur les forêts des Grands Lacs du Ontario (PMA SM) a publié en 1978 un ouvrage complet intitulé «Urban Tree and Forest Legislation in Ontario».	
	Lot sur le bois de la Couronne	
	(Richesses naturelles)	
	voir aussi TERRES PUBLIQUES - 1	
	AMÉNAGEMENTS LOCAUX;	
	OBSTRUCTION DE LA VUE; BAVINS;	
	TERRAINS BOISÉS; Lot sur	
	l'aménagement du territoire,	
	40(1)(a)6	
	Lot de 1985 sur la cité de	
	Cambidge	
	Lot sur la protection de	
	l'environnement, 113-119	
	ARRETE D'INTERVENTION	
	(CONTROL ORDER)	
	Arrêté de fermeture	
	(Stop order)	
	ARRETE DE RECONSTITUTION	
	(QUIETING ORDER)	
	Lot sur la réhabilitation du	
	statut des municipalités	
	(Affaires municipales)	
	Arrêté de réaffectation	
	(Reaffecting Order)	
	Lot sur l'exécution de règlements;	
	LOTISSEMENTS; AMÉNAGEMENTS	
	MINÉRAUX -	
	ARRETE DU JUGE	
	(JUDGE'S ORDER)	
	Lot sur l'enregistrement des	
	actes, 86 (Consommation et	
	Commerce)	
	plan enregistré, imposition des conditions, etc.	
	Nulla parte d'une route ou d'une voie ne peut être fermée ni être déviée sans l'accord écrit du propriétaire du ou des lots contigus. Aucun arrêté ne peut être rendu afin de modifier un plan approuvé en vertu de l'article 50 de la Loi sur l'aménagement du territoire sans l'accord préalable du ministre responsable de ladite loi.	
	Un arrêté pour la loi des enrégistrement est une restriction sur l'enregistrement des droits immobiliers qui permet d'empêcher la vente d'un terrain sans l'autorisation d'une partie nommée dans l'acte. Cet arrêté peut par exemple servir à empêcher la vente de lots	
	lotissement tant qu'un chemin n'est pas achevé à la satisfaction de la municipalité. L'arrêté peut être abrogé à tout moment par la partie désignée. Même si l'article 23 prévoit qu'un arrêté peut être rendu et la demande présentée de la façon prescrite par une personne intéressée, l'arrêté prévu à l'article 17 ne peut être rendu qu'à la demande du propriétaire.	



Description et Remarques

Référence

Sujet

Le Conseil municipal peut interdire ou réglementer la conservation de toute catégorie d'animaux, ou encore limiter le nombre d'animaux conservés dans une zone définie. On entend également par «animaux» les oiseaux et les mammifères. Des règlements peuvent s'appliquer aux établissements d'hébergement ou d'élevage d'animaux.

D'ÉQUARRISSAGE, ABATTOIR

Animaux morts
AgriAnimaux
AgriAnimaux (Dead animals)
voir ANIMATIFS; POLLUTION

ANNEKXION ET FUSION
(ANNEXATION AND AMALGAMATION)
limites municipales (Affaires municipales)

voir aussi ATTELIER
MUNICIPALES; ZONES DE SERVICE
URBAIN

- plans officiels, zonage
(official plans, zoning)

Les plans officiels et les règlements de zonage dans les zones annexes restent en vigueur à moins d'être abrogés par la municipalité qui annexe ces zones.
On peut se procurer, auprès de la Librerie du gouvernement de l'Ontario, un guide relatif à la Loi sur les négociations de limites municipales.
Cette Loi porte sur la mise en application d'une annexion négociable. La Cité ne peut pas demander d'autres annexions dans un délai de 30 ans, sauf pour certains terrains, pour lesquels elle peut présenter une demande dans un délai de 15 ans.
Le résident d'une municipalité ou toute personne intéressée peuvent demander à la Cour supérieure d'annuler un règlement municipal. La demande doit être faite dans les trois mois de la publication du règlement.

ANNULATION D'UN RÈGLEMENT
(QUASHING A BY-LAW)
Loi sur les municipalités, 139

Appels
(Appeals)
voir PARTICIPATION PUBLIQUE - appels

APPLICATION DES RÈGLEMENTS
(ENFORCEMENT OF BY-LAWS)
Loi sur les municipalités, 325

Dans les cas où il a le pouvoir d'exiger que des mesures soient prises et que la personne qui doit les prendre manque à son obligation, le conseil municipal peut prendre des mesures aux frais de cette personne et lui lui facturer sur son compte de taxes. (La Loi d'habilitation doit comporter un renvoi à cette clause en ce qui concerne l'autorité municipale.)
Le Conseil municipal peut imposer des amendes pouvant atteindre 2 000 \$ pour toute infraction à un règlement municipal.
Outre tous les autres recours dont ils peuvent se prévaloir, la contraindre, la société ou une commission de la localité peuvent restreindre la contravention d'un règlement. Un tribunal peut rendre une ordonnance afin d'interdire la poursuite ou la répétition d'un délit.

- mesures visant à
Loi sur les municipalités, 326

(Procureur général)
Infractions provinciales
Loi de 1979 sur les

(Procureur général)
Loi d'interprétation 27(b)

«Dans toute loi, à moins que le contexte ne s'y oppose, le titre «By-Law Enforcement - An Administrative View».

Le ministre des Affaires municipales publie un bulletin sous le titre «By-Law Enforcement - An Administrative View».

Cette Loi prévoit la fourniture d'arbres à des particuliers et à des municipalités, en plus de porter les accords permettant à la Couronne de gérer les terres forestières (forêts vitales par un accord).

Le ministre peut planter des arbres sur une route principale et en imposer les frais à l'entente. Personne ne peut détruire ni endommager des arbres dans les limites communes et des transports en commun.

ARBRES
(TREES)
(Richesses naturelles)
Loi sur les forêts

Loi sur l'aménagement des routes et des transports en commun

[illegible]

Les ministères des Richesses naturelles et du Logement ont pu, ensemble, en 1966, une déclaration de principes provinciale sur les ressources en agrégats minéraux. Le ministère des Richesses naturelles a publié une directive d'application au cours de la même année. On peut se la procurer auprès de la librairie du gouvernement de l'Ontario au prix de 0,75 \$.



Description et Remarques

[illegible]

Le Conseil municipal peut interdire ou réglementer et inspecter les abattoirs, ou plus d'interdire d'autres personnes tels que des éleveurs d'abattre des animaux dans leurs établissements.

voir aussi SANTÉ PUBLIQUE - ANEXE B, ART. LER

D'ÉQUIPEMENT

Loi sur l'agriculture

(Agriculture et Alimentation)

ABATTOIRS
(BEES)

Dans les régions rurales, personne ne peut installer de ruches dans un rayon de 9 mètres d'une autoroute, d'une habitation ou d'un champ cultivé, à moins de mettre une séparation constituée d'une clôture pleine de deux mètres de hauteur, sur au moins 4,5 mètres de long de part et d'autre des ruches. Dans une municipalité urbaine ou un district de banlieue désigné d'un canton, les ruches doivent être à une distance d'au moins 30 mètres d'une ligne de démarcation avec des terrains ou sont aménagés des habitations, des centres communautaires, des parcs publics ou d'autres lieux de réunion publique ou de loisirs.

voir ACCÈS À LA LUMIÈRE ET À

L'AIR

Loi sur la prescription des

(ACCESS TO LIGHT AND AIR)

d'un accord écrit.

Le lecteur peut prendre connaissance d'un exposé juridique sur la question dans l'ouvrage intitulé «Étapes vers un accès à Sunlight», publié par le ministère ontarien de l'Énergie en 1980.

Certains lois prévoient des montants particuliers en ce qui concerne les pouvoirs permettant d'accéder à des lieux privés, par exemple, l'article 31 de la Loi sur l'aménagement du territoire au sujet de l'interdiction et de l'occupation ou la disposition 39 de l'article 210 de la Loi sur les municipalités portant sur la lutte contre les incendies. Les autres passages des lois ne prévoient aucune mention à ce titre et les tribunaux devraient décider si l'accès était permisible en vertu de la Loi.

ACCÈS À LA PROPRIÉTÉ PRIVÉE
(ENTRY ON PRIVATE PROPERTY)

voir aussi

HYDRO-ÉLECTRICITÉ - OUVrages

PUBLICS; DESTRUCTION DES

MAUVAISES HERBES; COURS DE

FERRAILLAGE DE VOITURES;

ANTICIPE ET RESPONSABILITÉ DU

PROPRIÉTAIRE; APPLICATION DU

CODE DU BÂTIMENT

Loi sur les chemins d'accès.

(Affaires municipales)

(1a)

«Chemin d'accès» Chemin sur une terre qui n'appartient pas à une municipalité et qui n'est pas destinée ni acceptée, ou autrement réputée constituer, selon la loi, une voie automobile à un ou plusieurs lots de terrain.

(1b)

«Route commune» Chemin d'accès auquel des fonds publics ont été consacrés pour la réparation ou l'entretien.

La Loi prévoit un processus juridique avant qu'un accès existant à une propriété sur le terrain d'un volait puisse être fermé. La Loi prévoit également la délivrance d'une ordonnance de fermeture par un juge après présentation d'un rapport. Il est également possible d'en appeler de cette ordonnance. Il est interdit d'installer ou de maintenir une barrière en travers d'un chemin d'accès.

- ordonnance de fermeture

(closing order)

- barrières

(barriers)

voir aussi Route - accès à la

propriété

Loi sur les municipalités,

210(74)

voir aussi SANTÉ PUBLIQUE -

déchets et détritus; normes

d'entretien et d'occupation

Loi sur les actes translatifs

général, (1) (Procureur

Loi sur les droits de cession

Immobilier (Revenu)

Loi sur les droits de cession

Immobilier (Revenu)

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Immobilier (Revenu)

Loi sur les droits de cession

Immobilier (Revenu)

Loi sur les droits de cession

Immobilier (Revenu)

«Acte translatif de propriété» Tout effet ou document écrit ou desquels un terrain est transporté.

«Acte translatif de propriété» Acte scellé qui porte vente, hypothèque, bail d'un bien, acte créateur de droits successifs sur celui-ci ou négociation le visant et

Le Conseil municipal peut adopter un règlement exigeant et règlement d'entretien et d'occupation pour s'assurer plus

Le Conseil municipal peut adopter un règlement exigeant et

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Avertissement

Ce manuel de référence a pour but de vous aider à trouver des renseignements sur la législation pertinents à l'urbanisme. Ce dernier ne remplace pas la loi, et les observations ne sont pas nécessairement l'expression de politiques gouvernementales ni une interprétation ayant un statut officiel.

Avant-propos de la sixième édition

Depuis la dernière mise à jour du présent Répertoire, il y a quatre ans, de nombreuses modifications sont intervenues. Cet ouvrage, peu volumineux à l'origine, s'est depuis enrichi de tous les renvois ajoutés en ce qui concerne les directives et les politiques, ainsi que d'autres éléments d'information utiles. Voilà pourquoi il a été décidé de supprimer l'index, qui était très pu consulté à notre avis, étant donné que des renvois croisés sont effectués dans l'ensemble du Répertoire.

Comme par le passé, nous vous invitons à communiquer vos observations et suggestions de modifications pour la prochaine édition du Répertoire au :

Directeur
Direction des programmes
Ministère des Affaires municipales
777, rue Bay, 13^e étage
Toronto (Ontario)
M5G 2E5

mai 1989

N.B. : 1) Afin de faciliter la recherche, les entrées anglaises sont rappelées entre parenthèses sous leurs équivalents français.

2) Le titre français de certaines lois mentionnées dans le Répertoire et non encore traduites n'est fourni qu'à titre indicatif. De même, certains passages de lois non encore traduites ont été adaptés en français pour faciliter la compréhension du texte.



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